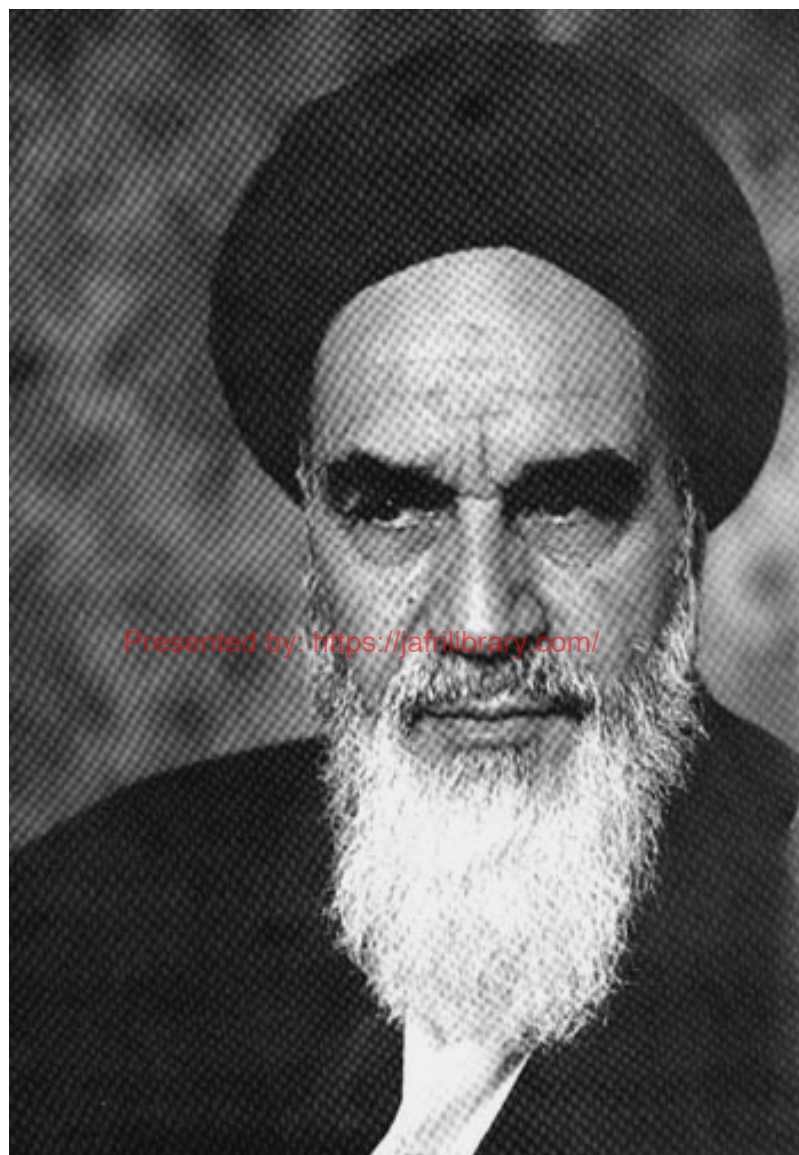




**IN THE NAME OF ALLAH,  
THE ALL-BENEFICENT, THE ALL-MERCIFUL**

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**RELIGIOUS DEMOCRACY FROM THE VIEWPOINT OF  
IMAM KHOMEINI (S)**

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**International Affairs Department  
The Institute for Compilation and Publication of  
Imam Khomeini's Works**

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“We are supporters of the Islamic republic, and the republic would shape the form of this government and it is made up of the divine laws.”<sup>1</sup>

## Introduction

The relation of people with government and the degree of influence the people exercise on a ruling political system has been a subject of constant attention. As a result, several political systems are product of such these interactions and relations. There has also been given a great importance in systems based on the religious and divine laws. In this regard, we encounter some essential questions such as: What is the status of man in such a system? Whether he accepts the divine laws being offered in a religious system or he has the authority to determine his destiny?

It seems that the Iranian democratic system is drawn up from the core Islamic teachings, and Imam Khomeini has promoted this system in form of and slogans of the Islamic Republic. The democracy and the Islam have experienced a successful reconciliation in Iran.

This theory bears two essential pillars as each of them has its own importance in Imam's system of thoughts. The first pillar is a commitment to religion and Islamism, which are essence of

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1. *Sahifeh-ye Imam*, vol. 5, p. 398.

and inspiration of the establishment of the Islamic government. From Imam's viewpoint, the jurist oriented government that forms the internal and interior parts of the government, the partial identification of the system depends upon it, the jurisprudence, and the Islamic law would occupy a status beyond the mere commands and orders. Neither the vote of public nor their elected representatives can repeal or distort any decree of the Islamic law. In fact, the Islamic laws and commands are dominant over all political and social occurrences. This is described and portrayed as the rule of law.

From this stance, any governmental system that is not originated from divine sources and, even if it were produced by the will of the people, it would not have any legitimacy and any following from such a government is not permitted. Regarding observation of the Islamic laws and decrees and people's commitment to these codes, Imam said as following:

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“The Islamic government is a system which implements the divine laws over public... The God and the founder of Islam are the sole legislative powers. No body other than God and his truthful prophets have the right to legislate the laws. No laws can be implemented other than the divine laws.”<sup>1</sup>

This unchallenging and unchangeable principal is an ideal of the Islamic system, which has been mentioned in article five of the Islamic Republic's constitution.

Second Axis is guarantor of influential presence of people in their own destiny. It is evident that no systems even those that are originated from divine source and attentive to the religious teachings, cannot neglect public's involvement for persistence of their government. This issue - the public involvement - is considered major pillar of the Islamic government and was asserted by the great Imam.

The Imam maintained that in the period of absence of

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1. *Islamic Government*, pp. 43-4.

twelfth Imam, legitimacy of power is in form of general appointments. Therefore, taking into consideration the will of people for establishment, maintenance and persistence of the government would be vital, and Qur'an and Sunnah have rejected imposition of any model of the government, which is not popular among the people. It is legitimate right of the people to elect and appoint their representatives through electoral process.

This characteristic, which distinguishes Islam from other schools of thoughts, is that the Islamic principles and teachings contain potentials for initiating a democratic system among a society. The Islam has harmonized between handing power over to people through democratic process and necessity of governing the society through the religious regulations.

Overall, the real democratic system is based on two major pillars and they are role of public in granting legitimacy to political power system and place of people in managing practical aspects of politics. The highest stage of the good governance will accomplish the people's satisfaction, which is an indication of close relationship between the government and public. If people experience a justice-based and regularized power, then they will be obliged to follow and monitor the legal power system.

There is need to understand that if the people become main source of power, it will not be considered contradictory to the sacred scripture or Sunnah. Imam in its practical life believed that people were entitled to choose within values. The democratic theory of Imam had granted the people a greater role within the boundaries of Islam and the great Imam considered the people's views and votes a right criterion and scale in practical fields and matters.

Imam said in this regard as following:

“Among very basic rights of a nation is that it should be able to

determine its destiny and set up form of government handled by people.”<sup>1</sup>

On these principles, all political rights of citizens from viewpoint of Imam are of great significance and they are entitled to all rights of public government. The people have rights to choose, rights to advice to statesmen and ruler, right to objection and ultimately the right to elect representatives of the assembly of experts through direct electoral process is peak point of a democratic system. It is also an indication of constant and an accurate monitoring by people of the high ranked official. This also creates an institutionalized monitoring process and in such a system authenticity and validation of votes by the aware Muslim people as a determined factor in grating legitimacy to the religious government.

Therefore, the great Imam not only considers the right to determination as legal but also an established divine right for the people:

“It stems from religious, legal and human right that we can determine our own destiny.”<sup>2</sup>

Summarily, we may conclude that Imam had a theory regarding the government during the period of twelfth Imam's absence, which is referred as supervision of jurist. In other words, he had a political school of thought which insists on establishment of an Islamic government. This is a role model for the Islamic republic and reflects aspirations of people.

Ideal of the Islamic Republic is founded on a complete reconciliation between the religious government and participation of people.

Actually, in a people-inspired system the people themselves after considering all requirements and circumstances establish the final form of a government. The people-inspired

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1. *Sahifeh-ye Imam*, vol. 4, p. 367.

2. *Ibid.*, vol. 6, p. 13.



governmental system emphasizes on the equality of human beings, dominance of the rule of law and perseverance of natural and civil rights and satisfaction of citizens is a fundamental principle of such a system. All of these aspirations are achievable only within the defined boundaries of Islam.

The democracy is counted another significant pillar of the people-dominant government and form foundation of the system, and it will never contradict with a religious and Islamic system as Imam said “Islamic government... is a national government. It is supported by the Divine Law as well as the vote of people.”<sup>1</sup>

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1. Ibid., vol. 5, p. 213.

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## **Democracy of Religion - Value or Policy**

*Dr. Asghar Eftekhari*

### **Research on the political standing of people in Islamic government from the point of view of Imam Khomeini**

The meaning of democracy like the rest of political definitions has undergone a lot of changes and transformations in the course of time such that nowadays we are faced with various forms of democracy. In order to overcome this difficulty, liberal thinkers have presented two main yardsticks for 'true democracy' including:

1. Impact of the opinion of the people on legitimacy of the regime;
2. Preeminence of consent of the people in administration of the affairs of society.

This explanation has presented fresh questions to Muslim ideologues including the adherents of the theory of 'Velayat-e-Faqih' or the authority of religious jurisprudent of His Holiness Imam Khomeini that is whether in an Islamic government which is based on religious values, the policy of democracy with the aforesaid definition is applicable or not.

In order to answer this question, the writer while examining the viewpoint of various individuals and groups who somehow seek to explain the viewpoint of Imam Khomeini, proposes a

fresh policy based on the following:

- a) Examination of the political jurisprudence of Imam Khomeini;
- b) Examination of the administrative policy of Imam Khomeini. In the first part an analyses of the core of thinking of the Imam in connection with consistency of governmental authority of the supreme religious jurisprudent with the honorable Prophet of Islam (SA) and the Immaculate Imams (AS) reveals that the actual meaning implicit in this thinking not only is not in conflict with the role of people in Islamic government; rather, on the contrary, it speaks of primacy of people's selection in granting legitimacy to political power. For this purpose, the following three propositions of political philosophy of Imam Khomeini are deduced, put forward and examined:

1. Administrative authority of the honorable Prophet of Islam (SA) and the Commander of the Faithful Hazrat Ali (AS) were derived from their prophetic mission and Imamate respectively.
2. The worldly administrative authorities of the Honorable prophet (SA) and Hadrat 'Ali ('a) were not knowledge and infallibility.
3. In the Era of Greater Occultation,<sup>1</sup> there are general and not specific representatives and thus the selection of the people complements the general appointees and is an effective factor in determining

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1. Era of Greater Occultation: The Twelfth and Last of the Shiite Imams His Holiness Hazrat Mahdi (may Allah Expedite his blessed advent) has disappeared from sight since the year 260 A.H. (circa 860 A.D.). Initially, in the course of 69 years, he was in contact with the people by means of four of his closest adherents; and since then without intermediary, he has disappeared from sight until the day of his reappearance the world will be governed with absolute truth and justice.

the holder of legitimate power.

4. In the second part, the alien implication of democracy of religion of Imam Khomeini is presented and explained. Instances such as formation of government based on the votes of the people, election of a type of government that revolves round the vote of the people; establishing legal foundation of the system in favor of rights of people in relation to power, emphasis on political rights of the citizens and finally, designing an efficient political structure in which all powers are placed under supervision of the people.

In short, the explanation presented in this writing of the supreme jurisprudential authority is based on Imam Khomeini's unique reflection of the people, which has been interpreted as meaning an **educated nation**. According to the writer, Imam Khomeini considered people in an Islamic society to be knowledgeable, devoted and freedom seeking whose opinion vis-à-vis other decision-making political sources including individuals and diverse political groups enjoyed full credibility. Thus, he founded the political system of democracy in which consent of the people and their choice shapes the direction of policy, government and foundation of legitimacy of political power within the framework of religion.

With the aforesaid explanation, "value and policy in an Islamic government" seeks that with possibility of combining "obligation to Islamic values in the sphere of politics" as stated by Imam Khomeini and "use of policy of basing government on the popular will and selection" in the era of Greater Occultation, to endorse and explain on the basis of Imam Khomeini's theory of Authority of religious jurisprudence.

### **Focus of the writing**

The focus of this writing is as follows:

- a) typology of various forms of democracy and separation of political systems with the yardstick of 'democracy';
- b) jurisprudential analyses of place of people in political philosophy of Imam Khomeini;
- c) Political analyses of the place of people in the administrative process of Imam Khomeini.

### Introduction

To the extent related to legitimacy of government and the policy that arises from religious beliefs and traditions, Islamic understanding of politics is different and is contrary to the preliminaries and big and small issues of democratic politics. In this manner, the doctrine of Islam contains principles that can be either compatible or incompatible with democracy.<sup>1</sup>

Although the initial appraisal of Samuel Huntington of the situation of democracy in Islamic countries is not in line with the truth, but it reveals that he has succeeded on one point which is that Islam in contrast with other doctrines - that for various reasons refuse to acknowledge an effective role for people in politics and administration - has certain principles and doctrines that merits being called 'democracy of religion'. After examining the political doctrines of Confucianism and comparing it with Islamic political doctrines, Huntington makes it clear that:

Confucian democracy is clearly a contradictory issue; but it is not clear whether Islamic democracy is also in this fashion. Seeking equality, will and authority are among the main subjects of Islam. On this issue, Ernest Gellner states thus: The lofty culture of Islamism is exclusive... that one can dare to say that conforms and is in harmony with acceptance of modernity and reform. These characteristics are in this manners also are in

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1. Huntington, Samuel: *Third Wave of Democracy at the End of the Twentieth Century*.

line with the demands of democracy; Islam rejects any sort of distinction between religious community and political community... similarly, religion is not distinct from politics. (and although) Political participation is a religious duty...<sup>1</sup>

Assessments of this type make it possible to question the definition of democracy of religion and to consider the footing of the people in an Islamic government. In other words, it seems that in the context of political slogans mentioned against Islam - which refer to Islam as a fundamentalist religion that by rejecting the role of the people in granting legitimacy to political power, prepares the ground for formation and development of a powerful and despotic political system - there are scientific facts that testify to the democratic essence and performance of a true Islamic government. In order to comprehend this concept it is necessary to refer to the original Islamic models meaning the respective administrations of the Prophet of Islam (SA) and Hazrat Ali (AS) at the dawn of Islam and the successful experience of the Islamic Revolution under the leadership of Imam Khomeini that led to establishment of the Islamic Republic of Iran as a Shiite model of administration in the twentieth century.

For this purpose, in this writing by making a relatively accurate examination of Imam Khomeini's theory of rule of the supreme religious jurisprudence, attempt has been made to gauge and clarify the relation between constitutional legitimacy and political role of people. The result of such a theoretical effort is a peculiar and native conceptual understanding of 'democracy', which conforms to the macro religious doctrines and is interpreted as 'democracy of religion'. This understanding of 'democracy' while meeting the need for popular participation in establishment, formation and legitimization of political power and system meaning the main

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1. Ibid., pp. 235-36.

aim of consideration of democracy in the present age<sup>1</sup>, at the same time it is committed to principles and basis of political action in Islamic perspective as well. Thus it becomes clear that the aim of this writing is neither discussion of various viewpoints on this subject and criticism and analyses of their evidences and reasons, nor even entering into a philosophical debate on 'legitimacy in a government of religion'; rather, the writer aims to review the viewpoint of Imam Khomeini on 'guardianship of the supreme religious jurisprudence in the age of Greater Occultation' and by means of it, determine the political standing of the people in exercise of power - a subject that has seldom been discussed and consequently, the true meaning of 'democracy of religion' as envisioned by Imam Khomeini has seldom been stated in scientific-analytical terms. For entering this discussion, it is necessary to remind of the following points:

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### **1. Chronological area of discussion**

The assertion presented of the Imam's viewpoint about legitimacy of political power, belongs to the period of Greater Occultation; in other words, this interpretation does not take into consideration the circumstance of religious government during the era of Appearance meaning the era of advent of Islam when the Blessed Presence of the Honorable Prophet of Islam (SA) and the Infallible Imams (AS) was felt in society; or the period of Appearance of the Messiah, His Holiness Hazrat Mahdi (may God expedite his blessed reappearance).

### **2. Central theory of discussion**

The theory of consideration of the author is explicitly Imam Khomeini's theory of Guardianship of the Supreme

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1. Huntington has called this meaning of democracy as 'the third wave of democracy'.



jurisprudence that has been put forward in either his statements or writings as well as in his actions. In other words, the theoretical basis of the discussion is the viewpoint of the Imam and not that of other Islamic jurists and Muslim scholars. The reason for this being that it was only a theory that was supported in the course of the Islamic Revolution of Iran and with the endorsement of the majority formed the basis of the establishment of the Islamic Republic of Iran.

### **3. Documentary evidences of the discussion**

While considering the explanations presented so far - and the different approaches - of the point of view of the Imam to be useful, the writer in this article relies only on those documents and testimonies that are straightforward words of either the Imam or part of his character. Adopting the above method helps in theoretical strength and gives credence to the practical investigations presented by the writer and prevents the article from leaning inadvertently towards a particular doctrine.

#### **A. Definitive Typology of Democracy**

Once upon a time, definition of democracy in lieu of range between two distinct types of government seemed extremely simple and clear such that most ideologues in following Prickles, recognized it as a type of government in which the administration of society was in the hands of 'the many' and not 'a few' of the people. It is this construal that shows itself in the brief definition of democracy as 'rule of the people, for the people and by the people.' Because this understanding conforms to the lexicology of 'democracy' ('demos' meaning people and 'cratos' meaning rule) it was able to transform to the standard meaning of 'democracy' incorporating the meaning of the term. However, the truth is that 'democracy' too, like other concepts and models has changed drastically over time to the extent that we observe various types of it - including numerous

and diverse interpretations of democracy that according to Carl Cohen has created a kind of 'verbal indiscipline', mental chaos, belittling and 'deliberate deception' in the discussion of democracy.<sup>1</sup>

Based on this premise, a fresh problem has been created in the field of theory and practice on the 'nature' of democracy. In other words, deliberation on the main branch of democracy that can distinguish it from difficult or corrupted interpretations that liken it to dictatorship and anarchy seems to be necessary. For example, in criticizing the Arabic versions of democracy, "Cornelius Castoriadis" has focused his attention on this subject and attempts to present a definition of democracy using fresh yardsticks. By referring to the nature of democracy, he has mentioned the 'power-creation of people' as a reliable index and writes:

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"Democracy is defined as the power of the people whereas these regimes are dominated by particular strata meaning capitalists and owners of big industries, administrative systems, top-ranking government officials and so forth. Certainly, people have rights in these regimes... but people do not have power. They neither rule nor supervise the government... they can every time apparently - or evidently - punish the government through elections."

This understanding of subtle points has been noted by other prominent analysts of western political thought such as David Held. In criticizing new forms of democracy - including universal democracy - he claims that these forms of democracy go beyond the limits and measures of liberal democracy and have taken on an imposed texture. Thus in his opinion, the principle of 'people's power' has become tainted and this interpretation of liberal democracy has lost its purity. This idea has been discussed by Carl Cohen extensively in his book

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1. Cohen, Carl: *Democracy*, p. 14.

‘Democracy’. Ultimately Chen reaches the point where the principle of ‘rule of the people by the people and for the people’ has been transformed into ‘open falsification’ in the twentieth century atmosphere because political life of modern man has become extremely sophisticated and thus, the practical possibility of establishing such a relationship between ‘ruling power’ and ‘the people’ is basically impossible.

This idea does not reveal the actual situation under consideration because people who exercise power are not always the same people on whom this power is exercised.

The result of critical remarks leveled at ‘democracy’ has guided the socio-political analysts to where they consider the main criteria of ‘government based on popular participation’ to be the presence of ‘a democratic discipline’ in the political structure of that society - discipline that according to Cohen is manifested in the mould of ‘delegation of power to the people’ and their role in ‘granting legitimacy to political power’. Nowadays, Cohen’s quotation of democracy has gained wide acceptance and it appears that discussion of democracy of religion must somehow take place with regard to this definition of ‘democracy.’

Presentation and acceptance of the abovementioned criteria has created a new discussion on the text of political dialogue of Islam that forms the main narration for formation of the Islamic Republic of Iran whose main question is whether it is possible or impossible to combine democracy - with a view to the yardstick of delegation of power to the people - with theocracy, meaning the need to govern society on basis of religious qualifications. Numerous viewpoints have been presented on this subject, the most important of them being the following:

### **1. Followers of doctrine of separation**

According to this viewpoint, legitimacy of Islamic government is derived from Divine Will, which is unencumbered by popular wishes as defined and specified by the divine legislator. In such

a deduction of Islamic rule, although people have an important role in establishing and perpetuation of rule, however, one must not forget that 'legitimacy' is linked to the heavens and does not have earthy roots. It is in such an assumption that separation between 'acceptance' and 'legitimacy' becomes meaningful.

## **2. Followers of doctrine of unity**

Ideologues of this doctrine believe that legitimacy of theocracy is left to selection by the Muslims. In other words, a theocracy is not too dissimilar with others in terms of aspect of legitimization because legitimacy in the two models depends on selection of the people. The only difference of a theocracy in this field is that in a religious society, Muslims make such a selection considering religious indices. Based on this premise, 'selection of Islamic societies' is the yardstick of legitimacy and thus, one cannot assume a boundary between acceptability and legitimacy.

## **3. Popular selection within the framework of values**

Although some persons mistakenly consider Imam Khomeini to belong to the first doctrine, but reflection on the practical and theoretical behavior of the Imam reveals proposal of a third doctrine by him that considers popular selection within the framework of values to be the yardstick of legitimacy. Understanding this doctrine requires understanding of the essences of democracy and theocracy respectively that forms the main subject of this writing.

With a view to the diversity of definitions that democracy has earned in the bedrock of time; and with a view to the impact of this change in appraisal of a system being democratic, it is necessary that first we undertake an examination of the various types of political systems with regard to the understanding and perception that they have of people. A typology that takes place with regard to the meaning and content of 'democracy' is based

on two principal themes including one, role of people in legitimization of political power; and two, standing of people in practical planning of national policy.

### **First: Role of people in Legitimization**

In response to this question that “what is the standing of people’s selection in legitimacy of political power?” various approaches have been adopted, each of which were effective in shaping a particular type of democracy. The answers presented can be divided - in terms of content - into three main groups as below:

- 1. Sole factor**
- 2. Effective factor**
- 3. Ineffectual factor**

Advocates of the first group have relegated legitimacy to acceptability and consider its basis to be solely the choice of the people. This approach has been adopted by humanistic doctrines that consider human being - and not God - as the center of their weltanschauung and it forms the basis of the liberal democracy of the West.

At the opposite end of the spectrum are the advocates of the third viewpoint who by referring to sources other than the people have removed the affair of legitimization from the realm of power of the people. In this viewpoint, will of a person or of a particular group or a metaphysical society is regarded, as a source of legitimacy and the duty of the people is to discover the holders of legitimate power as ascertained by that metaphysical society and to obey them. This approach is based on principle of separation of legitimacy and acceptability meaning that people are effective in gaining acceptability of political power and not in its legitimization.

In the midst of these two approaches, there is a third viewpoint that considers ‘people’s selection’ as an effective factor in legitimacy of power. According to this viewpoint, the

‘opinion’ of the people is not the only factor, rather, it finds meaning beside and together with other factors and ultimately specifies whether the ruling power is legitimate or not. Based on this premise, in discussion of legitimacy, advocates of this viewpoint believe neither in negation of validity of people’s opinion nor in its absolute validity; rather, with an elementary framework definition which goes beyond ‘popular demand’, they first define the ‘sphere’ of selection of the people and thereafter, they take into consideration the opinion of the people in this agreed framework as the basis of legitimacy. As this approach has been taken in the mold of the theory of ‘selection within the framework’ and will be attested with the viewpoint of Imam Khomeini extensively, we avoid further explanation about it in this section.

### **Second: Role of people in administration and practical planning of national policy**

In response to the second question concerning ‘relationship of the people with that in power’, too diverse viewpoints have been presented from among which the following three roles stand out:

- 1. Support;**
- 2. Supervision;**
- 3. Consent.**

The three previously mentioned roles in the discussion of administration are hierarchical meaning that every stage while incorporating the above roles in the earlier stage is also more meaningful and logical that distinguishes it from other stages. For example, role of ‘support’ speaks of a one-way relationship between the government and the nation in which people are purely obliged to accept and obey the government. Such an assumption can be noted in totalitarian systems or dictatorships that believe in existence of a one-way relationship in favor of power in relation to people.

In the second viewpoint, people have a more balanced relation with those in power and while accepting the duty to support them, they also supervise the performance of the rulers; in fact, supervision takes place with the lofty objective of effective support. According to this viewpoint, supervision is likened to a tool for protection of power from corruption. Although at this stage too, the role of people is still at the level of 'granting legitimacy' to the political system; but the acceptability is raised and includes both acceptance and supervision. The highest level of administration of people is called 'consent' that speaks of a mutual relationship between government and nation. In this assumption a dual right comes into play so that as long as the people view power within the agreed framework (a framework that has been defined for the government on establishment and has been approved by the people) and are satisfied with it, they are obliged to accept to support and supervise over it - and other than that, they shall have the right to change the government.

As mentioned, three major doctrines can be differentiated from one another with regard to the role of people in government and power: 1- "Doctrine of unity" that believes in unity of legitimacy and acceptability and basing it on the 'vote of the people'. 2- "Doctrine of separation" that while separating acceptability from legitimacy grants people three 'supervisory', 'supportive' and 'consenting' positions; and on this basis creates three distinct groups of regimes; and finally, 3- 'Interpretative' doctrine that redefines acceptability within the framework of metaphysical human values and this definition of acceptability is founded on legitimacy. In this interpretation, although acceptability and legitimacy are in conformity with one another, however, in terms of substance this conformity differs from the liberal approach, which is removed from Divine values and goes beyond human values.

A point worth noting is that in the discussion of Islamic rule, different interpretations of democracy have been presented and

for each of them one can find advocates in the sphere of political thought of Islam. Accordingly, some people by proposing either the theory of 'government of democracy of religion or doctrine of 'elective authority of religion' in the liberal sense have come close to democracy and believe that demand of society is the only source of granting of legitimacy to government. In contrast with radical interpretations of Islamic government, by granting authority to sources of power, they believe that the opinion of the people is required only for creating acceptance of the regime so that through it, the 'jurisprudential authority' can realize the Islamic political objectives. Another point is that in line with the interpretation of the writer, model of democracy endorsed by Imam Khomeini has been interpreted as 'democracy of religion'; and by looking carefully at the jurisprudential and rationalistic foundations of this interpretation which can be examined in two ways, one can arrive at a precise definition of this model.

### **1. Examination of Imam Khomeini's Political Jurisprudence**

In this part, the central doctrine of Imam Khomeini's thought on synchronizing administrative powers of the jurisprudential authority with those of the administration of the Honorable Prophet of Islam (SA) and Commander of the Faithful, Hazrat Ali (AS) has been discussed and this theoretical query arises that in case of acceptance of the above relationship, whether the people will have a role in granting legitimacy to the system or not.

### **2. Examination of method of administration of Imam Khomeini**

In this part, with regard to the method adopted by the Imam during his blessed lifetime and especially after establishment of the Islamic Republic, the question arises that as the jurisprud-



ential authority, what policy did he adopt in the face of people's demands and the vote of the majority? Did he give practical credence to people's choice or not?

Aggregate of the answers given to the two above questions shape Imam Khomeini's definition of 'democracy of religion'. For this reason, in continuation of this article, two independent discussions (but complementary in terms of logic and objective) have been put forward and through them the jurisprudential and practical dimensions of 'democracy of religion' of Imam Khomeini's thinking is scrutinized.

## **B. Stature of people in Imam Khomeini's political jurisprudence**

With regard to the effective role of jurisprudential observations in shaping a theocracy in the Islamic Republic of Iran, it appears that the starting point of the discussion of democracy like the other similar socio-political discussions must be sought in 'political jurisprudence.' For this purpose, it is necessary to review Imam Khomeini's theory of 'jurisprudential authority as a basic pillar of Islamic rule.

Among the valuable initiatives of Imam Khomeini on the subject of government and politics was to establish a political dialogue whose main theme is to shape the relationship of administrative powers of the Infallible Imams (AS) with those of the jurisprudential authority. A doctrine that is heavy with political meaning has unfortunately been seldom analyzed and has often been misunderstood to the extent that some have interpreted it as 'dictatorship' and 'autocracy' whereas the essence of dialogue on democracy is contained in this very part of Imam Khomeini's thought.

### **1. Text of thought**

in the book Jurisprudential Authority (Islamic rule) Imam Khomeini has expressed forthrightly and meaningfully that:"

The illusion that administrative powers of the Honorable Prophet of Islam (SA) was more than that of the Commander of the Faithful Hazrat Ali (AS) or that the administrative powers of Hazrat Ali (AS) was more than that of the jurisprudential authority is false and wrong. Of course, the virtues of the Honorable Prophet (SA) are greater than that of the entire universe; and after him, the virtues of Hazrat Ali (AS) are greater; however, the abundance of spiritual virtues does not increase administrative powers. Those powers and authority that His Holiness the Prophet (SA) and other Imams (AS) enjoyed in logistics and mobilization of army, appointment of provincial governors and trustees, acceptance of taxes and utilizing them for the good of Muslims, God Almighty has granted the same powers to the present administration except that there is no specific person and the face of the title is 'just jurist'.<sup>1</sup>

Even though the statement of the Imam is clear and explicit in structure and meaning, however its popular nature and essence has so far been seldom noted. Thus, the interpretation of the text and understanding its implicit meaning becomes necessary which we shall discuss in continuation.

## 2. Assertion of the issue

Considering that in the political dialogue of Islam (according to Shiite narratives) it has been accepted that:

*Firstly*, sovereignty belongs to Almighty God and no person can rule and exercise sovereignty over others without the permission of the Exalted Truth. 'Allah is the Sole Sovereign'.<sup>2</sup>

*Secondly*, rule by Divine succession is inherited by the Honorable Prophet of Islam (SA) and after him, by the Immaculate Imams (AS) and He is closer to the people than

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1. Jurisprudential Authority: p 50-51.

2. Surat al-An'am: 23.

they themselves are unto themselves.

*Thirdly*, the Honorable Prophet (SA) and the Immaculate Imams (AS) all possessed two exclusive features meaning 'infallibility' and 'God-given knowledge'. Thus, one can conclude that the Almighty God by granting two great advantages (infallibility and God-given knowledge) to the Honorable Prophet (SA) and the Immaculate Imams (AS) has practically furnished the suitable grounds for delegating extensive administrative powers to them. In other words, absolute authority of these great men rationally - in addition to narration - is accepted because if we don't assume those two outstanding characteristics for individual or individuals in that case the mind decrees for extension of their authorities for administration of society and the necessity of absolute obedience of such rulers by the people. From this viewpoint, the five unknown equation of government can be solved as follows:

1. Source of sovereignty = Almighty God
2. intermediary of transfer = infallibility and God-given knowledge (as sole monopoly of rulers)
3. rulers = individuals appointed and determined by the Exalted Truth
4. scope of authority = extensive
5. Duty of people = understanding and obedience.

The symbol of this approach can be demonstrated as below:

With regard to equation no. 1, it becomes clear that with entry into the age of Greater Occultation, Shiite Political thought suffers from a communication gap. The main reason for it being - according to the theory of jurisprudential authority of Imam Khomeini - the absence of two principal characteristics of 'derived knowledge' and 'infallibility' of the jurists - meaning the virtuous successors of the Prophet (SA) and the Immaculate Imams (AS). According to this group of critics, the theory of 'Absolute jurisprudential authority' cannot consider the standing of granting legitimacy by the people because the prosperity of the people has an impact solely on its

establishment or non-establishment and not on its legitimacy. Simply speaking, by referring to the divine legitimacy of rule of the Prophet (SA) and Hazrat Ali (AS), critics confront the advocates of the theory of jurisprudential authority with this serious proposition that if you believe in perpetuation, then you must accept results and their requirements including divine legitimacy of the rule of jurisprudential authority and lack of influence of the people in legitimacy of his rule as well. Thus, they conclude that principle of perpetuation of theory of jurisprudential authority brings it closer to the administrative model of 'theocracy' than to 'democracy'. Therefore, just as in other political systems, theocracy can at most become 'popular', 'democratic' and 'patron of the people'.

### 3. Method of deduction

These groups of Shiite ideologues/who believe in the theory of jurisprudential authority in order to bridge the previously mentioned communication gap have offered various reasons, which in terms of methodology can be divided into two main groups:

#### **Redefining two characteristics of knowledge and infallibility**

In this method, while accepting the special and unique spiritual virtues of the Immaculate Imams (AS), in the discussion of jurisprudential authority, by mentioning specific conditions such as justice, piety, knowledge etc... he reaches to a point where one can come to a diluted understanding of infallibility and God-given knowledge in the age of Greater Occultation and make that the yardstick of connection of authority in the two eras of Occultation and Visibility. In other words, although one cannot consider the religious jurisprudents to possess God-given knowledge and infallibility, however, a stage of it can be obtained by means of education and self-abstinence that can be

the means of transfer of Divine sovereignty to the jurisprudential authority.

### **Redefinition of ‘guardianship authority’**

In this method by referring to the blessed presence of His Holiness the Savior Twelfth Imam Mahdi - may God expedite his blessed reappearance - who is intermediary of Divine grace throughout the period of Greater Occultation and possesses both the aforesaid characteristics, transfer of sovereignty is established just as during the era of Appearance; the difference being that in practice qualified jurists undertake this task on his behalf. In this scene, the jurisprudential authority is in reality, not simply a jurisprudential authority and the presence of His Holiness Mahdi - may God expedite his blessed reappearance - is considered as a provider for the shortcomings that the jurists are faced with ~~it is because of not being in possession of those two characteristics required for administration.~~

By reflecting on the above two methods, it seems that this class of ideologues are more inclined to seek actual situations and bring them closer to idealist situations. For this reason, they are prone to investigation and queries by the pragmatist group of critics of the theory of guardianship of jurisprudential authority; and weaken the justifications offered in the field of political action including the following:

- A) A diluted interpretation of infallibility and knowledge cannot be an intermediary for transfer of sovereignty because it has not eliminated the possibility of errors and mistakes and the existence of above probability results in creation of doubt in all decisions.
- B) Documentary evidence about the blessed presence of His Holiness Mahdi - may God expedite his blessed reappearance - in the field of political action is not reliable because in that case every individual or group by claiming to be in touch with His Holiness make claims to formation of government.

- C) In case of accepting the given interpretations, one cannot find an appropriate logical solution to justify and explain the causes of the probable mistakes by the decision-making apparatus of the Islamic government (that according to 1 will certainly occur) because linking the appointment of government to the Twelfth Imam (may God expedite his blessed reappearance) and acceptance of infallibility of His Holiness creates a paradox situation that blocks the path to any excuse.

The sum of the above observations denotes the deficiency of both the proposed methods in the sphere of political action. It was with regard to such criticisms that Imam Khomeini presented the third solution in which while considering the same administrative powers for guardianship of jurisprudential authority and for the Honorable Prophet of Islam (SA), a suitable opportunity is created for the effective presence and role of the people.

### **1. Imam Khomeini's Doctrine**

With regard to the theoretical viewpoint and practical conduct of Imam Khomeini, it becomes clear that instead of offering an excuse for resolving the issue, he has undertaken to explain the subject and present an out-of-the-world picture in which the above question finds no meaning and definition. In other words, by accurately analyzing the face of the issue and explaining it correctly, has endeavored to resolve the issue. Understanding the Imam's proposed method is tied to understanding the three below pronouncements:

#### **a) First proposition**

Administrative powers of the honorable Prophet of Islam (SA) and the Immaculate Imams (AS) in relation to prophetic authorities (and special powers of Imamate) are exclusive.

In other words, administrative powers are not equivalent to

powers arising from their prophetic mission or Imamate and forms only part of it. Based on this premise it can be inferred that:

*Firstly*, the honorable Prophet of Islam (SA) and the Immaculate Imams (AS) had a different standing altogether.

*Secondly*, every position incorporated its own special powers for them.

*Thirdly*, based on separation of position, they would prevent intrusion of their own powers.

Thus, as a ruler, under no circumstance did the honorable prophet of Islam (SA) not use the powers of his prophetic mission or powers invested in him to resolve administrative problems just as he would also not abstain from using his spiritual or administrative potentials in the position of an ordinary human being. Based on this premise, administration is a 'branch' of religious guardianship, which is explained in terms of the dissimilar powers that are necessary for administration of a society. Attempts at subtle separation of above are among the prominent features of political thought of the Imam that has been clearly explained in the book 'Guardianship of Jurisprudential Authority'. On the subject of 'deference' to the honorable Prophet of Islam (SA), he has separated two types of deference from each other namely, 'deference to the will of God' and 'deference to the order of the Prophet of Islam (SA)', which reveals the acceptance of the above-mentioned pronouncement.

The reason why God appointed the Prophet as head and made it obligatory to obey him... was not that if the honorable Prophet (SA) mentioned a subject we should accept and act upon it; to practice the divine teachings is to obey God. All acts of worship and non-worship that are related to divine decrees imply obedience of God. Deference to the honorable Prophet of Islam (SA) isn't acting upon divine decrees, it is a another matter... if the honorable Prophet of Islam (SA) who is the head and leader of Islamic community orders that all must go fight

alongside the army of Osama, nobody has the right to oppose. This is not God's command; rather it is the decree of the Prophet of Islam (SA)."<sup>1</sup>

Explanation of the Imam that 'government is a branch of jurisprudential guardianship' must be understood and comprehended in the context of this dialogue and with regard to the first proposition. The result of reflection on this proposition is that subject of discussion on sovereignty of jurisprudents is administrative powers that comprise a specific part of the powers of the Honorable Prophet of Islam (SA). These powers, in comparison with powers of prophetic mission and of Imamate are exclusive and limited.

#### **b) Second proposition**

The instrument of transfer of political sovereignty to the Prophet of Islam (SA) and the Immaculate Imams (AS) was not Divine knowledge and infallibility.

This proposition is among the important principles of political thought of Imam Khomeini and proves that divine wisdom and infallibility are effective in delegation of guardianship authority of the prophet or authority arising from Imamate. In other words, divine wisdom and infallibility were useful tools for organizing the affair of religion (receiving, safeguarding, communicating and practicing) and would neither the Prophet of Islam (SA) nor the Infallible Imams (AS) expend of these two assets. This claim presents to the reader a fresh interpretation of the behavior of the prophet of Islam (SA) and infallible Imams (AS) in which the Prophet of Islam (SA) and the Infallible Imams (AS) in the position of administration have appeared such capable administrators and under no circumstance use their spiritual potentials for furthering their administrative objectives. Thus, merely the claim that

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1. Khomeini, Ruhollah: *Jurist Guardianship*, p. 71.



administrative powers of the Prophet of Islam (SA) and Immaculate Imams (AS) were based on presence of two characteristics of infallibility and divinely inspired knowledge is invalid from the point of view of the Imam.

It is necessary to mention that evidences and testimonies to this claim on the practical behavior of the prophet and the Imams (as two superior case studies in administrative experience endorsed by the Shiite sect) are very many which is not within the scope of the present discussion and requires an independent discussion in analyses of history of the advent of Islam. In order to examine the main themes of such research work, one can point to the following instances:

1. In history of the period of administration of the Prophet of Islam (SA) in the city of Madinah Munawara, one witnesses repeatedly that when faced with the decisions taken by the Honorable prophet of Islam (SA) they would utter thus: "O Prophet of God! Was what you said Divine Revelation or not?" thus because His Holiness would answer in the affirmative, they would comply otherwise if they had a better viewpoint or proposal, they would mention it. Distinction between these two categories reveals that Muslims had accepted that the Prophet of Islam in his administrative capacity would not spend of his two exclusive assets meaning divine knowledge and infallibility. In other words, they had accepted and acknowledged His Holiness's rule as against his prophetic mission and leadership in an atmosphere removed from infallibility and God-given knowledge.
2. In Islam's history, there are numerous instances of the Prophet of Islam (SA) having consulted or liaised with other individuals (including both Muslims and non-Muslims) in the administration of government affairs; and the interesting point is that in many instances he has overruled his own decision in favor of the given proposal. This action alone reveals that the Prophet of Islam (SA)

did not intend to carry on administration with infallibility and God-given knowledge alone as otherwise it was meaningless for him to change his mind. It is worth mentioning that this change of mind did not always culminate in failure (such as in the Uhud battle), rather, in certain instances, (such as the battle of Khandaq and opposition of Owais and Khazraj with peace with enemies) it had a positive impact. Meanwhile, in cases where the outcome was negative, the prophet of Islam (SA) would not criticize the Muslims nor castigate them on the strength of his god-given knowledge and infallibility.

3. In the Alawite narrations, it is mentioned that although Hazrat Ali (AS) did have divine knowledge of Talhah and Zubair's attempts at sedition, yet based on this knowledge he never issued an administrative directive for arrest and prevention of this sedition.
4. In the Alawite narration on the legal dispute of His Holiness Hazrat Ali (AS) with a Jewish individual about ownership of his armory it is mentioned that the judge because of insufficient evidence issued a verdict in favor of the Jew whereas His Holiness Hazrat Ali (AS) who was the ruler and custodian of the affair of the judge, had claimed that the armory belonged to him. In other words, belief in divine knowledge and infallibility was sufficient for the judge to testify to the accuracy of His Holiness's claim and deliver a verdict in favor of His Holiness but lack of documents of the law court made him to issue the verdict in favor of the Jew.<sup>1</sup>

It is interesting to note that, firstly, the assumption of the judge of Imam Ali (AS) as a ruler is that he does not use his divine knowledge and infallibility in this area; thus, he does not deliver a verdict documented based on his divine knowledge and

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1. Ibid.

infallibility. Secondly, in the court of law, under no circumstance does His Holiness Hazrat Ali (AS) speak of his stature as an Imam and does not urge the judge to do so either. Thirdly, Hazrat Ali (AS) consents to the verdict of the judge and considers it impartial. Thus, he relinquishes his armory and leaves the court of law. After the end of the court ruling too, the ruler and custodian of the affairs, meaning Imam Ali (AS) does not castigate the judge. There are a large number of historical connotations of the second proposition that cannot be mentioned here. The analytical conclusion arrived at from all the interpretations is the same that Imam Khomeini has mentioned in short sentences that, “administrative powers have no relation to spiritual attainments.”

Now with regard to the contents of the two offered propositions, Imam Khomeini has proposed method for resolution of the communication gap can be summarized as below:

Imam Khomeini believed in separation of powers of the Prophet (SA) and the Infallible Imams (AS) in three positions of prophetic mission, Imamate and administration. Based on this premise firstly, the powers of the prophet and Imams were extremely wide; and the means for their transfer was divine-given knowledge and infallibility. Secondly, demonstrative powers was limited and was at the conventional level required for managing a community while the means of transfer of these powers was neither god-given knowledge nor infallibility.

In simpler terms, assumption of the critics of theory of guardianship of jurisprudential authority of the means of transfer of sovereignty of the Prophet (SA) and the Immaculate Imams (AS) was incorrect; and it is not that god-given knowledge and infallibility are the criteria of this allocation. In the context of such a picture of sovereignty, absence of two previously mentioned characteristics in Islamic jurists can under no circumstance be a reason for denial of equality of their administrative powers with those of the Honorable Prophet of

Islam (SA) and the Immaculate Imams (AS) because:

*Firstly*, administrative powers of the Honorable Prophet of Islam (SA) and the Immaculate Imams (AS) was not based on their divine-inspired knowledge and infallibility. *Secondly*, extent of powers of administration of the Honorable prophet (SA) and the Immaculate Imams (AS) was not equal to the powers of their prophetic mission and Imamate and was less extensive than theirs.

Thus, there is no obstacle for proposal and acceptance of this claim that administrative powers of the jurisprudential authority is on par with administrative powers of the Honorable Prophet of Islam (SA) and the Immaculate Imams (AS). In a pictorial illustration in accordance with previous trend, the interpretation of Imam Khomeini can be illustrated by means of a graph. As is noted in this graph, the communication gap pertaining to the period of Greater Occultation and Reappearance loses intensity and thus government in the era of Greater Occultation is evaluated in relation with the model of administration in the era of Reappearance. In other words, the Imam knows of the communication gap related to prophetic mission and Imamate and concludes that with the entry into the age of Greater Occultation empowerments of prophet and prophetic mission will not be granted to any individual. However, in the area of administration, the conditions are very different and observe its perpetuation.

### c) Third proposition

In the age of Greater Occultation, Divine Nomination is in general form and the effective factor in determining applicability is popular selection. In explaining the proposition, it is necessary to take note of the below points that are incorporated from the Imam's thought.

1. Imam Khomeini believes that Divine Nomination in the two periods of Greater Occultation and Reappearance have been realized in dissimilar forms such that,

*Firstly*, in the period of Reappearance, the necessity for administration has been made explicit by the Exalted Truth such that specific individuals have been mentioned by name and people are obliged to refer to them and assist them in administration of affairs.

(Specific Nomination): On this subject, he states thus:

“The Exalted and Almighty God has appointed him as ‘the Caliph of God on Earth’ and not that he forms a government on his own free will and wants to lead the Muslims... the Honorable Prophet of Islam (SA) nominated The Commander of the Faithful Hazrat Ali (AS) by legal decree and in keeping with (Divine) Law.”<sup>1</sup>

In other words, in the age of Reappearance, the necessity for administration by specific nomination is answered and thus people become obligated to obey the administration of the individual (individuals).

*Secondly*, in the age of Greater Occultation, God Almighty has not made any specific nomination meaning that the Almighty God has not specified by name any individual to lead the affair of administration; rather, He has only specified the conditions of individuals who can be appointed to this position and society itself takes steps to determine applicability within the framework of conditions (general nomination). In a sense, God has ordained that reins of affairs be entrusted to a qualified Islamic jurist but as regards which qualified jurist can occupy such a position is left to choice of the people (either directly or indirectly). The Imam states thus on this subject:

“In the Age of Greater Occultation, the ruler is not a specific person; it is a ‘just Islamic theologian’.”<sup>2</sup>

...now that a specific person has not been determined by

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1. Ibid., p. 45.

2. Ibid., p. 51.

Almighty and Exalted God to run the affair of administration during the age of Greater Occultation, what is the obligation? If God has not determined a specific individual for administration during the period of Greater Occultation, but he has specified the administrative characteristic that had existed from the advent of Islam until the time of His Holiness the Twelfth Imam Mahdi (may God expedite his blessed Reappearance). This characteristic, which includes knowledge of law and justice, exists in countless numbers of the Islamic jurists of our era.<sup>1</sup>

2. Imam Khomeini opined that in the era of Greater occultation, legitimacy of power that has been ascertained in the form of general nomination, finds meaning on the strength of establishment, installation and perpetuation.

Thus it is observed that,

*Firstly*, he regards the will of the people to be involved in the principle of legitimacy of the system and believes, “will of the people must be involved in the principle of delegation of power otherwise it doesn’t enjoy the necessary power of legitimacy application of the terms ‘will of the people’, ‘delegation of power’ and ‘legitimacy’ in this sentence is noteworthy).

*Secondly*, he considers imposition of any model of administration that does not enjoy popular acceptance (even guardianship of the religious authority that is the original Islamic model for the age of Greater Occultation) by relying on the Qur'an and practical behavior of the Prophet (SA) to be void. “We obey the votes of the people. In whatever way that our nation votes, we obey them. We have no right; the Almighty and Exalted God have not given us the right; the Prophet of Islam (SA) has not given us the right to impose a thing on our nation.”<sup>2</sup>

For this reason, he considered holding a referendum for establishment of an Islamic republic - despite all the *oppositions*

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1. Ibid., p. 50.

2. *Sahifeh-ye Imam*, vol. 11, p. 34.

to it - to be necessary; and he announced the holding of the referendum at the most sensitive of circumstances and obtained the votes of the people.

*Thirdly*, he has assessed perpetuation of legitimacy of power by relying on the decree of the nation and opines that, "Here the votes of the nation governs. Here the nation holds the reins of administration. These government bodies have been determined by the nation - and it is not permissible and is impossible for any of us to violate the verdict of the nation."<sup>1</sup>

*Fourthly*, he has mentioned public opinion as a source of initiation of law and has noted its effective and central role in granting legitimacy to power with the following words:

"Pressure of public opinion implies the law. By relying on this law we come to power and install the government."<sup>2</sup>

3. Imam Khomeini held the view that in the era of Greater Occultation, the effective factor in identifying that who among the qualified jurisprudential authorities endorsed by the divine legislator can be the 'jurisprudential authority' (or in the leadership council) is the 'opinion of the people'. Thus, one can deduce that the qualified religious authority that does not enjoy the vote of the people must step aside in favor of the qualified religious jurist who enjoys the support of the people and obey the jurisprudential authority in administrative affairs. Any action outside this criterion is illegal according to the point of view of the Imam. In other words, divine general nomination 'restricts the choice of the people' in the sense that,

*Firstly*, if people choose outside the spheres of 'justice' and 'knowledge' they have performed a non-Islamic act and have established a non-Islamic administration. Therefore, democracy

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1. Ibid., vol. 14, p. 165.

2. Ibid., vol. 5, p. 533.

of religion has not been actualized. (Thus, people are obligated to choose from among qualified religious jurists).

*Secondly*, the rest of the qualified religious jurists who are not elected as religious authority are obligated to obey the Islamic administration.

Imam Khomeini's interpretations on this subject is forthright and to the point in the sense that any qualified religious jurist cannot establish a government and exercise power solely by relying on Qur'anic verses and narratives endorsing 'general nomination' unless he is elected by the people. Meanwhile, the choice of the people creates an obligation for the rest of the religious jurists so that they obey the Islamic administration in administrative affairs and abstain from acting on their own independent investigation in the sphere of politics of an Islamic society.

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### **C. Status of people in administrative policy of Imam Khomeini**

In contrast with 'political jurisprudence' that is generally directed at theoretical foundations of subjects and that attempts to explain the intellectual-legal basis and to examine the scientific deductions of a viewpoint, 'administrative policy' has an operational essence and looks at opinions or actions that have appeared in the sphere of political action. The fact that there is a gap between two areas of theory and practice that results in inability of theories to be continually put into practice and to remain more as slogans and ideals urges us that in addition to examination of theoretical dimensions of the subject of 'democracy' in the political jurisprudence of Imam Khomeini, to speak of his 'practical policy' as well. The author believes that practical obligation of the Imam to the principles of Islamic political behavior has prevented the above-mentioned rift (theory-practice gap) in the practical behavior of the Imam and thus in the field of practice, he grants the same status to the people as was mentioned in the field of theory. In this section,



we look at the practical application and historical claims of 'democracy of religion'.

### **First: Establishment of government and national will**

Following the victory of the Islamic Revolution under the leadership of Imam Khomeini, numerous viewpoints on the method of founding the new government are expressed among revolutionary forces devoted to His Holiness Imam Khomeini each of whom would propose a plan for establishment of an Islamic government with the intention of Islamism. The main viewpoints included the following:

#### **1. Revolutionary founding**

With regard to the presence of a wide spectrum of political factions in the course of the Islamic Revolution each of which had their own following and possessed suitable promotional capabilities as well, some followers of Imam Khomeini considered holding a referendum to be a political risk, which they need not yield to. In their view, the Islamic Revolution current with the undisputed leadership of Imam Khomeini had achieved its objective - meaning overthrow of the Shah and establishment of an Islamic rule. Thus, the extensive presence of the people alone was considered as revealing their opinion and vote as manifested in their slogans and actions. Based on this premise, it was proposed that in a speech and reliance on his social base, Imam Khomeini announce the downfall of the Pahlavi regime and take steps to establish an Islamic administration. Naturally, this pronouncement of viewpoint would be greeted with widespread support of the people and an Islamic government conforming to the ideals of the Imam and wishes of the people - that too without entailing political risk of a referendum - would be established. The sensitivity of this group of revolutionaries reveals that the possibility of victory of opposition groups in the referendum had existed and as some

claimed the referendum was not made to order. Nevertheless, Imam Khomeini stressed on the need for a referendum and by stating that public opinion is akin to law that by relying on it, we take action to take over the reins of power in society, he laid the foundation of government on the direct vote of the people and in this way, 'the Islamic republic' acme into being with the vote of the people. It is for this reason that in response to a question on the probable outcome of the people's votes that when asked 'What will you do if the vote of the people goes against your wishes?' the Imam states categorically and clearly that, 'Whatever the vote of our nation, we too are subject to them.'

## 2. Popular establishment with low risk

In contrast with the first viewpoint, followers of this theory believe that the point of view of Imam Khomeini was accepted by the majority and thus they would recommend holding a referendum. However, the point that he would emphasize was the method of holding the referendum. According to the Imam's proposal, the referendum would include a 'yes' or 'no' answer in response to the question of establishing an Islamic republic. Considering that, this method in the sense that it restricted selection of the people to two choices in practice creates a coming together of factions critical or opposed to the Imam that could affect the outcome of the referendum. His proposal was that by increasing the people's choices (for example, republic, Islamic rule, democratic republic administration etc...) beside 'the Islamic Republic' , it would break up and distribute the votes of the opponents of the Islamic republic option and in this manner, would increase the majority vote of the proponents of 'Islamic republic' option. Although this proposal was not in conflict with the democratic nature of 'referendum', however, it was not accepted by the Imam. By emphasizing that the foremost demand of the revolutionary people was 'Islamic republic' and thus there was no option left for putting forward

deviant viewpoints, remarks that, “Islamic Republic, neither a single word less nor a single word more; and this option is to be put to the vote of the people.

Experience of this crucial and sensitive experiment showed that opponents of ‘Islamic republic’ put together did not comprise more than two percent of the votes cast.

When faced with the two previously mentioned viewpoints, Imam Khomeini chose a referendum with high risk and put the option of ‘Islamic Republic’ to the vote of the people in the toughest of probable circumstances for the proponents and the best electoral circumstances for the opponents. In this manner, the basis of the Islamic rule on the will of the people and the role of the people in granting legitimacy to ‘the political power’ - that was discussed in the theoretical subjects of the previous section - became apparent at the beginning of establishment of the government; and by performing this important step, the Imam put the jurisprudential idea into practice.

### **Second: Type of government and presence of people**

‘Islamic Rule’ is a general term that is applied to a variety of models. With regard to diversity of administrative models in countries such as Saudi Arabia, Afghanistan Islamic Republic of Iran, Pakistan etc... this point is clearly proven that Islamic government is redefined in every period in accordance with the status quo. Thus, victory of the Islamic Revolution was not an end of the revolutionary movement of the people of Iran; rather, it was an important starting point whose main question was ‘type of administrative model resulting from Islamic Revolution’. Overall, five main models were proposed by various groups for period of stabilization namely:

1. Followers of ‘democratic republic’ model who interpreted role of people to conform to doctrine of liberalism and would not consider the proposed value-based framework.
2. Disciples of the ‘people’s republic’ model that was fed by

the leftists. Although this viewpoint would accept presence of a value-ideology framework for democracy, however, it believed that propositions resulting from within strata model must be the yardstick and not Islamic propositions offered by followers of 'canonical Islam' proposition.

3. Disciples of Islamic rule model who considered idea of republic to be borrowed from the west and thus by rejecting the role of people in legitimization, considered the phrase 'Islamic rule' to be sufficient.
4. Supporters of republicanism who regarded the term 'Islamic' to be superfluous and opined that election by the people itself was sufficient and thus as long as the people were Muslims, they would make an Islamic choice and there was no need to mention the attribute of 'Islamic.'
5. Those who believed in the 'Islamic republic' model regarded republicanism as a form of government and Islamism as its content.

Selection of the fifth model by Imam Khomeini as a firm political interpretation of Islamic rule and his blunt opposition with the two radical groups (that presented a narrow interpretation political Islam and that considered only a supportive and subservient role for the people) and the modernists (who presented a wide interpretation of republican democracy that was similar to the liberal democratic model and devoid of value-based foundations), proves the practical undertaking of the Imam to both 'divine right' and 'human right' - of which the Islamic republic is considered to be a product. In summary, the Imam did not apply the general phrase 'Islamic rule' in the field of political action and presented a progressive model that defines Islamic government in the twentieth and twenty-first centuries. From this viewpoint, the Imam possessed a theory for the era of Greater Occultation (guardianship of religious jurisprudent); he possessed a political doctrine (Islamic rule) and finally, a practical model, which was

that of an 'Islamic republic'. The absence of overlap of these three categories with one another and presentation of model of 'Islamic republic' is the second testimony to adherence of Imam Khomeini to the principle of 'democracy of religion'.

"We want an Islamic republic; 'republic' constitutes the form and shape of the government while Islamic - meaning the contents of that form - is the Divine laws."<sup>1</sup>

### **Third: establishing legal foundation of democracy of religion (the constitution)**

With regard to the practical experience of other systems establish after victory of revolutionary movements, it is observed that the majority of administrators in these systems would evade establishing a legal framework that threatened their power and secured the mutual rights of government, people, parties and factions etc... these systems because of special circumstances that alluded to concentration of power, would resist the demands of the people and political groups for presenting an appropriate legal definition of government-people relation and would postpone this task to the time after the formation of government.

Policy of Imam Khomeini in this connection differs and is directed towards supporting the people vis-à-vis the political power such that the Imam himself was the main supporter of establishing a constitution. With a firm approach, he removed the obstacles; and ultimately the final text of the constitution was put to the vote. It is worth mentioning that as the essence of the demands of the nation of Iran, the constitution was caught in the whirlpool of political rivalries and thus in practice it's establishing was confronted with difficulty. Of the major obstacles in this period, one can point to the following instances below:

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1. *Sahifeh-ye Imam*, vol. 5, p. 398.

1. Opposition of certain groups and factions to the legislation of the Higher Council of Revolution concerning the formation of a special Assembly of Experts for compiling the constitution.
2. Election euphoria for determining the members of Assembly of Experts;
3. putting forward political issues in the Assembly of Experts and attempts to defeat the proposal for establishing an assembly of experts to the extent that the proposal to dissolve the legislative assembly with the participation of the interim government is prepared and is placed on the agenda;
4. Attempts to exercise influence in presentation of the proposed principles of the constitution and consequently, draw away the Islamic republic from the right path.

The decisive approach of the Imam with opposition groups in support of the legal standing of the people and stress on establishing a constitution resulted in creation of the Assembly of Experts; and despite all problems, the initial draft was prepared and put to the vote of the people for final endorsement.

“The Assembly of Experts was endorsed by the majority of the nation and is doing its job. Now we are seeing that a group of few individuals have gathered and are saying that the Assembly of Experts must be dissolved! I do not know what the occupation of these individuals are who say that ‘it must be dissolved’. Why must it be dissolved?... it is not dissolved in this fashion; no one has the right to dissolve it; the people themselves have this right...”<sup>1</sup>

Based on this premise, the principle of establishing constitution with the effective support of the Imam was a big step towards supporting the people and emphasizing their position in the

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1. Ibid., vol. 10, pp. 320-21.

power structure and can be assessed as a categorical reason of the democratic line of thought of the Imam in the political arena. Moreover, the spirit governing the constitution is also noteworthy. In other words, the contents of the constitution of the Imam's view are also testimony to democracy. The major indices that have been explicitly mentioned in the preface of the constitution include the following:

1. Emphasis on people's role in the Islamic Revolution;
2. Islamic government's undertaking to respect the people's opinion;
3. emphasis on all-round supervision by the people over the power current in the country;

The three above-mentioned statements have been summarized and presented in Article Six as below:

“Article Six: In the Islamic Republic of Iran, affairs of the country must be run with reliance on public vote either through holding of presidential elections, deputies of the Islamic Consultative Assembly, members of councils and so forth or through referendum in cases that are ascertained in other articles of this law.”

It is necessary to mention that as explained by the legislator in Article 117 of the constitution, Article Six is among the unchangeable articles that are not subject to reviewing:

“The content of articles concerning the system being Islamic and establishment of laws and regulations on basis of Islamic criteria, obligations of faith, objectives of the Islamic Republic of Iran, republican character of the administration, legal guardianship and leadership of the Muslim ‘ummah’ nation as well as administration of affairs of the country with reliance on public opinion and Iran's official religion and sect is unchangeable.”

#### **Fourth: Political rights of citizens**

Legal applicability and democratic spirit of the political thought of Imam Khomeini that was manifested in the context of the theory of ‘guardianship of the religious authority’ can be noted in a detailed list of the political rights of citizens stated by the Imam. As the first person of the Islamic Republic, Imam Khomeini has pointed to this subject on various occasions, which overall reveals ‘indebtedness of power to the nation.’ Focus of the practical policy of the Imam in the discussion of political rights of citizens’ vis-à-vis the ruling power includes the following:

##### **1. Right to choose**

Administration of the community according to the point of view of Imam Khomeini is impossible without taking into consideration people’s opinion, and thus, nobody is permitted to go against people’s opinion:

“Here the vote of the nation governs; here it is the nation that holds the reins of government; these public bodies have been appointed by the nation; and to go against the opinion of the nation is neither permitted nor possible for any of us.”<sup>1</sup>

With regard to the number of elections held in the course of past years, it becomes clear that our country in comparison with many of the developed and developing countries with an average of approximately one election every year, has experienced the phenomenon of ‘open political atmosphere’ well in advance (founding of freshly-established system on popular opinion and deference to public opinion for administration of the country).

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1. Ibid., vol. 14, p. 165.



## 2. Right to counsel the administrators

Influenced by the fundamental principle of ‘promotion of good and prevention of evil’, Imam Khomeini defined power as meaning responsibility and emphasized on the basic right of people to interrogate the holders of power:

“All of us are responsible; not responsible for our own tasks, we are responsible for the work of others as well. Everybody must be considerate of everybody else. Everybody in relation to others... even my responsibility is yours; yours too is my responsibility... the Muslim nation must practice ‘prevention of evil; must practice promotion of good.’”<sup>1</sup>

## 3. Right to mention shortcomings

In case counseling does not have the desired effect, people have the right to mention deficiencies in order to compel those in power to respond and eliminate the shortcomings:

“Of course, we must not be under the impression that whatever we say and do nobody has the right to failing.”<sup>2</sup>

## 4. Right to Criticize

Imam Khomeini considered the conduct of affairs governing social life of modern man to be ‘criticism-based’. Thus he drew the attention of those in power to this reality and stated: “Society of the future will be an evaluating and critical society in which all people shall participate in leadership of their affairs.”<sup>3</sup>

Thus he mentions the ‘right to criticize’ as one of the important civil rights and points out that:

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1. Ibid., vol. 8, p. 487.

2. Ibid., vol. 20, p. 451.

3. Ibid., vol. 4, p. 359.

“Each individual of the nation has the right to demand explanation from the ruler of Muslims directly in front of others and to criticize him; and he must give a convincing reply or otherwise if he has acted against his Islamic duties he is automatically removed from his post.”<sup>1</sup>

### 5. Right to protest

In case of continuation of deviant conduct in official power structure, the Imam has mentioned protestation as a duty and right that must be taken into consideration in order to organize the affairs. In his opinion, it was the presence of such a perspective among the people that led to oppressive regimes being rendered incapable of perpetuating their methods. Thus with referring to the highest administrative authority in the Islamic system he states:

“If I place my foot crookedly, the nation is obliged to tell me that I have placed my foot crookedly and that I should be careful... they should pay attention lest I utter a single word against the rules of Islam. They should protest, write and say it.”<sup>2</sup>

He has focused on this diktat in relation with political parties and factions and places them under the supervision of the people when he states that:

“If at one time for example, a gathering or an individual or a government takes a wrong step, all should protest and not allow it to happen.”<sup>3</sup>

This right can be exercised in various ways and the Imam reserved this right for the nation in any circumstance:

“the day when they see and you see that the legislative

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1. Ibid., vol. 5, p. 409.

2. Ibid., vol. 8, p. 5.

3. Ibid., vol. 13, p. 14.

assembly has become deviant - deviation in terms of greed for power and in terms of greed for wealth; in the country, among the ministers, in the president... there and then you must prevent it... the people themselves must prevent it.”<sup>1</sup>

This subject was of such importance to the Imam that in his divine-political last will, he considers it as topmost priority and while addressing the people, he states:

“This is a general recommendation which is important to me and I must say to all, to all strata of the nation; I must say that you should exercise utmost care to ensure that not a single step is taken against Islam... in my view this is far more important than all other things and its responsibility is also greater. We all have the responsibility to do this job.”<sup>2</sup>

To sum up, with the tools existing in civil society, the people can endeavor to realize the above-mentioned rights and perform their religious obligations.

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### **Fifth: Structure under supervision of people**

By reflecting on the relations defined for organizations of the Islamic Republic of Iran, it becomes obvious that Imam Khomeini in practice established the framework of Islamic system in such a way that one cannot find any power without supervision. In other words, by establishing a supervisory system that ultimately relied on the opinion of the people, in practice the Imam defined democracy of religion in the best possible manner. Basically, subjects that are not defined in an institutional form do not possess the required permanence and dynamism; and thus one can evaluate the efforts of the Imam for institutionalization of democracy of religion in the form of a structural design under supervision of the people to be his greatest service to the interpretation of ‘democracy of religion’

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1. Ibid., vol. 16, p. 23.

2. Ibid., vol. 8, pp. 4-5.

in the sphere of political action. Meanwhile, the intense focus of the Imam on the need to establish and lofty standing of Assembly of Experts is doubly important because in contrast with the idea of some thinkers who by referring to the Imam's theory of absolute guardianship of religious jurisprudent, supported the non-supervision of the jurisprudential authority, the Imam emphasized on the need to establish this assembly in order to supervise the performance of leadership; and to dismiss him from office in case of relinquishing the conditions mentioned in the constitution and incompetence. Redefinition of guardianship of religious authority within the supervisory framework of experts - experts that are elected directly by the people - is considered the highpoint of democracy of religion in the Islamic Republic of Iran, which speaks of continual and meticulous supervision, by the people of the performance of the highest administrative authority - meaning the leadership. A similar supervision for other pillars and constituents of political power has been foreseen that complements the political rights of citizens and overall, speaks of the primacy of the role of the people. Table number 2 shows this aspect of democracy of religion under the heading of 'institutional supervision of the people.'

### **Theory of 'educated nation'**

Although as a model of government, democracy is rooted in the political experience of the west that with reliance on theoretical, technological, economic and political capabilities, superior western powers have been able to attain global status and be transformed in to a subject for all nations, but it does not mean that other administrative models don't pay attention to standing of people. From this viewpoint, the question of 'political role of people' - a question with a long history - is evaluated which all governments somehow have an answer to it.

This article, by reflecting on the nature of what is called 'democracy' and differentiation of its various types discusses

‘democracy of religion’ according to which, Muslims within the framework of Divine general nomination determine and elect a legitimate government (in the sense of legitimacy and truth of power which is also the main subject of democracy according to modern traditions). For this purpose, the theory of guardianship of religious authority of Imam Khomeini has been discussed as a pivotal theory of the Islamic republic of Iran. In contrast with interpretation of some proponents or critics of the theory of guardianship of religious jurisprudent, the essence of this theory is very democratic and under no circumstance does it negate the effective role of people in granting legitimacy to theocracy. By reflecting on this aspect of the theory of guardianship of religious jurisprudent, it becomes clear that what the Almighty God has obligated in the age of Greater Occultation is handing over the reins of affairs of the Islamic community to a ‘just Islamic jurist’ and no particular person has been appointed by Divine legislator to this position. Thus to the same extent that people are obligated to refer to just jurists for establishing a government, they are at liberty to choose any of the qualified jurisprudents. In fact, each of the qualified jurisprudents who are elected with the direct or indirect vote of the people - only he too - possesses legitimate right to exercise power and the rest of the religious jurisprudents are obligated to go along with him in political affairs of administration.

This interpretation which has been deduced from text of the Imam’s practical conduct testifies to the people’s role in the discussion of legitimacy of government; and thus attributing the word ‘democracy’ (with the modern version of democracy) to it is absolutely correct. However, it is ‘religious’ in the sense that as opposed to democracy it is not acceptable to refer to individuals other than ‘just religious jurists.’

This interpretation of nation is quite different from authoritarian, dictatorial and even western liberal-democratic perspectives and ensures a heavy and crucial mission for people in administration of society. It is for this reason that the nation

according to the Imam is identified with the attribute of 'education'; in other words, it is 'the educated nation' that can cope with the responsibility of the sensitive role that is concealed in the meaning of 'democracy of religion'. The definitive and interpretational context of the theory of 'educated nation' according to the Imam consists of the following:

### 1. Political awareness and judgment

Governing an ignorant people who because of their ignorance resort to obeying any power can neither be desirable nor perpetual. By reminding of the cognitive foundation of Islam that considers awareness and imparting awareness as intrinsic to Islamic government, Imam Khomeini has emphatically pointed to the existence of element of awareness among the people. According to him, people will only be able to play the role demanded by the theory of 'democracy of religion' well when they endeavor with total insight and awareness towards this end. The Imam's flaunting the political growth of the people is due to this reason because although governing the informed is more difficult, but as a rule, it is unflagging.

"With total pride, I would like to thank the honorable nation of Iran for their political development and Islamic commitment... at the end of my life, I shall migrate towards the blessed abode of the Truth with total optimism and pride at your genius."<sup>1</sup>

In other words, democracy of religion has not been defined with deception and shenanigan; and its main essence consists of 'awareness'.<sup>2</sup> However, the result of awareness of the essence of Islam and theocracy is loyalty to it, which is the main capital of legitimate governments:

"Islamic community of Iran that has accepted the Islamic

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1. Ibid., vol. 12, p. 149.

2. Ibid., vol. 21, p. 10.

republic and its lofty values and the sovereignty of the laws of God with its knowledge and political maturity and have remained committed to this great allegiance and contract.”

Thus, democracy of religion has been strengthened by means of increase of awareness and it cannot be weakened.

## 2. Seeking Freedom

According to the Imam, because of the awareness that they have, people attain the right to choose freely and hold the reins of their destiny in their own hands. From this viewpoint, ‘freedom’ is considered to be a part of the essence of democracy of religion and its expansion leads to better manifestation of democracy - and not to its weakening.

“One of the most important of the elementary duties when a group takes over the responsibility of affairs is to bring about conditions for free elections so that under no circumstance is there exercise of power and influence of any strata and group in the elections.<sup>1</sup> You are free and must hold the destiny of your country in your own hands...<sup>2</sup> Today the fate of Islam; the destiny of Muslims in Iran and the destiny of our country is in the hands of the nation.”<sup>3</sup>

## 3. Meticulousness and accuracy of people’s vote

The sum of the two previously mentioned characteristics in Imam Khomeini’s thought has reduced the coefficient of error of people’s selection and thus, he concludes that the vote of people is generally correct with negligible error. Thus, meticulousness and accuracy is a part of nature of peoples’ selection and in other words, ‘democracy of religion’ is based on granting credibility to its outcome, which the Imam has

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1. Ibid., vol. 5, p. 382.

2. Ibid., vol. 7, p. 7.

3. Ibid., vol. 12, p. 182.

emphatically endorsed:

“Definitely when people are free they elect a competent individual and general vote cannot make a mistake; if someone wants to do something, he is making a mistake; a country of thirty million cannot make a mistake.”<sup>1</sup>

The accuracy of the Imam’s view on this subject is extremely noteworthy to the extent that he considers the mistake of an aware and devoted nation to be superior to the correct but imposed selection by some people and remarks:

“Someone may say that well perhaps a wrong person has been selected; if a wrong person is placed in office, this very people will remove him at the very first step that he takes and it will be over... certainly when a nation wants to appoint a person for the destiny of its own country, they will choose the right person and not a corrupt one; and certainly there won’t be a mistake in a population of thirty million.”<sup>2</sup>

It is with this logic that the Imam accepts the principle of ‘credibility for the popular opinion’, which constitutes the main pillar of democracy of religion:

“Whatever the majority say, their opinion is valid even if it is wrong and is to their detriment.”<sup>3</sup>

The Imam’s speech addressed to some individuals and groups who by referring to the probability of error in people’s choice prevented the realization of their wishes in this field is quite illuminating:

“Move along the path that our nation has chosen even if you believe that the path which the nation has treaded is not for the good. Well, let it be. The nation wants it this way; what have

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1. Ibid., vol. 5, pp. 322-23.

2. Ibid., p. 323.

3. Ibid., vol. 9, p. 304.



you and I have to do? It does not want its good. The nation has voted; the vote that it has cast is to be obeyed.”<sup>1</sup>

#### **4. Inclination to faith**

The nation of Imam's consideration are an orthodox and devoted people in whose hearts Islamic belief is deep-rooted; and thus their first choice are the pious and the competent individuals:

“This is the way to win the hearts of the nation; the hearts of Muslims is won over with Islam; we have understood their weak point; the hearts of Muslims must be won over by means of Islam... all hearts are in the Hands of God... focus on God so that the hearts of people focus on you.”<sup>2</sup>

In summary, multiple indices of the nation according to the political thought of Imam Khomeini presents a particular type of democracy that has been described with the attribute of religion; and in it the validity and credibility of the Muslim, aware and free people has been acknowledged as an effective factor in granting of legitimacy to a theocracy.

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1. Ibid.

2. Ibid., vol. 1, p. 121.

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## **Democracy from Imam Khomeini's Viewpoint**

*Hujjat ul-Islam wal Muslemin*  
*Mohammad Taqi Fazel-Meybodi*

### **Introduction**

Of the important issues that have recently found its way into Iranian political literature is the subject of democracy or democracy of religion. Although the term democracy is not new to political literature of the world but it is newly born in our culture especially as the suffix 'of religion' has made it a very new term. Here it is necessary to appraise some issues. One is that what is democracy? Second, whether the combination of democracy with religion (democracy of religion) is a right combination? Third, whether in the political system of guardianship of religious jurisprudent, government of democracy can be realized; or that democracy demands its own particular political system?

### **Democracy**

Democracy can be considered as a style of administration that embraces equality, sovereignty and principality of law, rule of the people, safeguarding individual rights and emphasis on natural and civil rights of human beings.

Spirit and essence of system of democracy is rule of law that is established by the people; and people, not with compulsion and intimidation, rather with interest and freedom follow the

government of their own making.

In a democracy, the main principle is 'consent of the people for the government' or consent of citizens in going along with the government because man is a selective and rational creature who with his intellect and sagacity chooses a ruler and with the same rationality and selectiveness deposes the inept ruler.

In democracy, rulers do not seek power and potency from other than the people; and the government in a democracy has no divine origin. For this reason, governments such as theocracy, paternity and ancestry and preceptorship etc... are regarded as illegitimate governments because in these systems there is no legitimacy on behalf of the people in the general sense of the term.

In democracy, some of the freedoms are incorporated as natural rights of individuals which in non-democratic systems these type of freedoms are not legal and even if legitimate, are not regarded as natural rights. Freedom of belief, freedom of speech, freedom of social gathering, freedom of religion and sect are among the fundamentals of a democratic system. One cannot speak of a system of democracy, but consider one type of dogma or one type of political interpretation to be permitted and condemn the rest.

Multiplicity of interpretations is concealed within system of democracy and these multiplicities are formed within the framework of political bodies; and each party and faction can express its views and beliefs within the framework of the law. In a democratic system the rights of minorities to criticize and engage in political activities is reserved and a minority can transform itself into a majority. Here the second question arises that whether such a system can be combined with religion and whether, the combination of democracy of religion can be a right combination? Whether from religion that requires human beings to lead a pious life, can one burrow through to democracy, which is a form of government? Whether in religion a particular political philosophy has been envisaged for

government?

Part of the intellectual and cultural crises of Iran's society can be understood within the context of this question that basically, to what extent is the claim to government by religion endorsed? What sort of connection can it have with democracy? Some speak of religion lopsidedly and in their opinion, democracy has an imported meaning and is alien with the religious spirit. Some speak lopsidedly of democracy and consider negation of religion to be the solution.<sup>1</sup> The above combination may perhaps be unjustified and possibly contradictory for some people because religious or democratic topics apparently do not have agreement in the sense that we mentioned. In a theocracy generally the understanding of religion of commentators of religion is different and the rights of citizens is different based on various interpretations and religious laws because theocracy has been founded on basis of special rights of the orthodox and the rights of people is subject to interpretation of religion. At the beginning of the constitutionality movement when some religious jurists were opposed to legislative assembly and constitution and wouldn't accept equality of rights because they regarded it as being incompatible with religious commandments and stipulations and considered endorsement of constitutional monarchy to be a threat to religion. Late martyr Sheikh Fazlollah Nouri who was at the forefront of opposition to constitutional monarchy would not accept constitutionalism because he regarded 'right of national ownership', which was foreseen in the legislative assembly to be inconsistent with guardianship of religious jurists and authorities on religion. This Islamic jurist opposed to constitutional monarchy opined that area of general affairs such as windfalls was in jurisdiction of Islamic jurists as deputies of the Immaculate Imam (AS).

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1. *Kian*: no. 21, p. 16.

“...guardianship in the era of Greater Occultation of the Savior Imam (may Allah expedite his blessed reappearance) is with the Islamic jurists and authorities on religion and not of such and such grocer and cloth merchant; and relying on the majority vote is wrong according to Imamiyah sect. writing legislations is meaningless. Islam is the law of us Muslims.”<sup>1</sup>

He also writes in the book ‘Tazkiratul Ghafil wa Irshaadaj jahil’ that:

“Don’t you know that empowerment in public affairs is incorrect and this subject is about religious jurisprudence; meaning speaking on public affairs and general welfare of people belongs exclusively to the Immaculate Imams (AS) or their public deputies and has no relation to others and the intervention of other than them in these affairs is forbidden and is usurpation of the position of the Prophet of Islam (SA) and the Immaculate Imams (AS).”

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In the intellectual and jurisprudential system of the likes of Late martyr Sheikh Fazlollah national sovereignty and in current parlance, ‘democracy’ has no meaning - and this view was not only the Sheikh’s and other religious jurists had also accepted the sheikh’s utterance that concepts such as freedom, equality and legislation - that constitute the soul and spirit of democracy - cannot be Islamic. After the establishment of the Islamic Republic system too some defined national sovereignty in another way which would culminate in its negation rather than acceptance and would regard the participation of the people at the polls to be a declaration of protest and obedience of their rulers and didn’t imply participation in their destiny; or would assume it to be a political maneuver designed to offset the propaganda of aliens; or to say that principle of divine legislation and sovereignty of the Islamic jurisprudent is on

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1. *Treatises, Declarations, Writings*: with the effort of Mohammad Torkaman, p. 103.

behalf of God and His Holiness the Savior twelfth Imam (may Allah expedite his blessed Reappearance) and similarly, appointment of that person too must somehow be linked to the Savior Twelfth Imam (AS) and the permission of His Holiness but realization and establishment of his administration and administration depends on people's acceptance and endorsement.<sup>1</sup>

Legitimacy of the regime does not come from the people; rather, it is from God. People have nothing to offer to the ruler; neither the entire society nor a particular strata of it nor the elites of society nor philosophers and judges nor aristocrats and the wealthy of society nor Islamic scholars and nor any strata and class of society has the right to transfer the right of administration to a ruler.

In Islamic rule according to the theory of guardianship of religious jurisprudent, it is not the people that grant legitimacy to a regime; people only support the government.

In summary, based on this viewpoint sovereignty of the leader and ruler is an extension of the sovereignty of the Supreme divine guardian; and on a higher plane, is an extension of sovereignty of almighty god. We must accept the sovereignty of the person in whose administration we have succeeded in winning the consent of God and obtain on behalf of God the permission for his leadership... laws ratified by particular experts in the legislative, executive and judiciary powers attain their legitimacy with the signature and endorsement of a person who is at the head of government and it won't have legitimacy without the endorsement and attestation of the jurisprudential authority. From the Islamic viewpoint, the Consultative Assembly or the legislature is an advisory arm of the leader.<sup>3</sup>

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1. Mesbah Yazdi, Mohammad Taqi: *A Passing look at the Theory of Islamic jurisprudence as written by Mohammad Mahdi Naderi-Qomi*, p. 69.

2. *Resalat daily*: December 24, 1990.

3. Mesbah Yazdi, Mohammad Taqi: *Islamic Rule and Guardianship of the Religious Jurist*, Islamic Promotion Organization, p. 158.

Some intellectuals also believe that source of legitimacy in an Islamic administration is the social contract in which execution of religious decrees have been stated; but in an Islamic administration conforming to guardianship of religious jurisprudent, the source of legitimacy of the system is the primacy of duty. Thus, all administrative bodies of various levels of importance are all significant from the aspect of efficiency of the system. But in legitimacy, they all are sourced in the guardian authority... similarly, the opinion of the people in an Islamic system has no role in legitimacy... thus some allege that in an Islamic rule, God has given people the right to choose their ruler and that is what they do with their vote and entrust the reins of affairs to an individual. This may be true in the doctrine of liberals but not in the idea of guardianship of religious jurist.<sup>1</sup>

It is clear that according to viewpoint of this group of Islamic thinkers, the composition of democracy of religion is an irrational blend or better that we say it is illegitimate because national sovereignty or democracy is at odds with guardianship of religious jurisprudent or is flawed and endorsement of one results in rejection of the other.

It is natural that if these viewpoints become the criteria and yardstick of religious thought, religion will be at odds and opposed to democracy and the idea of democracy of religion will be an imaginary idea or that it proposes meritocracy instead of democracy and presents the rule of the guardianship of religious jurisprudent as a rationalistic dictatorial administration.

It is natural that with such logic all the oppressions, dictatorships and massacres of people throughout history are

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1. Larijani, Mohammad Jawad: *Administration and the Bounds of Legitimacy*, collection of articles of the First Seminar on 'Change in Concepts', pp. 332-33, as narrated by Akbar Ganji; *Religion and Administration*, p. 62.



justified because in any case they are based on logic.<sup>1</sup>

### Democracy from Imam Khomeini's point of view

One can claim that Imam Khomeini is not the sole Islamic jurist who would toy with the idea of republicanism and rule of the people based on religion. One and half century earlier that Muslims were confronted with democratic rule and liberal system of the west and viewed this issue as a crucial and serious issue of the world of Islam. Sayyid jamaloddin Asadabadi, Akhound Khorasani, Allameh Naini, Sayyid Mohammad Hossein Tabatabae'i, Sayyid Abdol Hussein Lari, Morteza Motahari, Ayatollah Montazeri, Martyr Mohammad baqer Sadr, Muslim intellectuals such as Iqbal Lahori, Bazargan, Shariati and hundreds of thinkers of the world of Islam had opened up discussion on this subject. One of the advantages of Shiite jurisprudence is that the thoughts of the jurisprudents have always been undergoing changes and perfection; and in the sphere of criticism, a jurisprudent would criticize the thoughts of another jurisprudent. Growth and perfection of Shiite jurisprudence was tied to these criticisms. In terms of epistemology, the main reason for this transformation was external factors that would affect the mind and opinion of a jurisprudent. According to late Motahhari:

“In no place is the impact of continual and evolving judgments as conspicuous and discernible as much as in jurisprudential issues. Eras and periods have passed over Islamic jurisprudence. In every period, a particular way of thinking and judgment dominated. Principles and norms of assumption today differ from a thousand years and seven-hundred years earlier. The Islamic jurisprudents of about a thousand years before such as Sheikh Toosi were certainly outstanding

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1. Gharavian, Mohsen, *Keyhan Cultural Journal*, p. 154, September-October issue, 1999.

authorities on religion... but according to the jurists of recent eras, this type of judgment and that kind of thinking has been rendered obsolete... from here we can well understand that 'Ijtihad' independent and free investigation has a relative meaning and is developing and evolving; and each era and time demands its own special understanding and judgment."<sup>1</sup>

Ayatollah Javadi-Amoli acknowledges that mind of the Islamic jurists has undergone process of development in the wheels of time and the Islamic jurist of the fifteenth century A.H (circa twentieth century A.D.) differs from that of the Islamic jurist of the fourteenth century A.H. (nineteenth century A.D.) and on this comparison, Imam Khomeini as a prudent and sagacious Islamic jurist who in his youth entered the realm of 'Ijtihad' free investigation and always the idea of an Islamic government crossed his mind and flowed out of his tongue; and who had an intense link with the social happenings, revealed a visible transformation and development of himself. For the first time way back in the year 1944, Imam Khomeini spoke of an Islamic rule in the book 'Kashful Asrar' and increased the expanse of the guardianship of religious jurists to beyond 'fatwas', judgment and guardianship of the legally incompetent.<sup>2</sup> Ten years later in the year 1954 in the book 'Ar-Rasa'il' he considered problems related to administration to be part of the job and authority of the religious jurist;<sup>3</sup> and pursuant to it in the book 'Tahrir al Wasilah' he follows-up his earlier viewpoint and states:

ففى عصر محبته ولى الامر و سلطان العصر - عجل الله فرجه الشريف - يقوم  
دواب العامة - وهم الفقهاء الجامعون لهرائط الفتوى والقضاء - مقامه فى

1. Motahari, Mortada: *Islam and the Demands of Time*; p. 263.

2. *Kashf-e Asrar*: pp. 186, 188, 333&344.

3. *Ar-Rasa'il*: vol. 3, pp. 101&103.

اجراء السياسات و ساءر مالامام (ع) الا البداءه بالجهاد.<sup>1</sup>

In 1968, Imam Khomeini who in Najaf was preoccupied with discussion of Islamic jurisprudence based on Sheikh Ansari's 'Al Makaseb', puts forward the principles of Islamic rule under the title of guardianship of religious jurisprudent and in a way extends its scope.

"The guardianship that is present for the Honorable Prophet of Islam (SA) and the Imam for forming government and implementing and taking charge of administration is also present for the religious jurisprudent."<sup>2</sup>

In the course of this period when the Imam was putting forward the discussion of guardianship of religious jurisprudent or 'Velayat-e-Faqih', nowhere is there talk of popular participation and what role people have in realization of legitimacy of rulers because when the Imam has the authority of guardianship of religious jurisprudent or the Islamic government and as the director of Islamic society is placed at the top and is confronted with new questions whether from journalists or because of being faced with matters of disqualification religious obligation, presents two new viewpoints. One is 'vote of the people' and the other 'using the element of expedience in the system'.

The Imam laid the foundation stone of opinion of the people in three important historical periods.

*First* on his arrival in Behest-e-Zahra Cemetery he stated:

"I will appoint a government with the backing of this nation."<sup>3</sup>

*Second*, at the time of appointing Mahdi Bazargan as Prime Minister:

"On the basis of religious right and legal right arising from the

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1. *Tahrir ul-Wasilah*: vol. 1, p. 459.

2. *Jurist Guardianship*: p. 52.

3. *Sahifeh-ye Imam*, vol. 6, p. 16.

decisive vote of the majority of the people of Iran who in the course of massive get-togethers and widespread and numerous demonstrations throughout Iran in relation to the leadership of the agitation... I designate you to form an interim government.”<sup>1</sup>

*Third*, he remarked that:

“If the people voted for the experts in order to appoint a just religious authority to lead their government; and when they too appoint an individual to take over the leadership, certainly he is acceptable to the people. In that case, he becomes the elected trustee of the people and his ruling is ‘virtues penetrabilitatis’.”<sup>2</sup>

In addition to the three important historical periods, before and after that, Imam Khomeini had repeatedly stressed on *republicanism* and vote of the people and regarded the views of the people to take precedence over all things as for example:

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“We obey the vote of the nation. Whichever way our nation votes, we too shall follow them.”<sup>3</sup>

“Islamic republic means a regime of the will of the people - and the commandments of the commandments of Islam.”<sup>4</sup>

“They say that we want a country in which there is democracy. You take note, you see that Islam - we want take into account the advent of Islam which is the context of Islam... it is Islam and the context of Islam - let’s see whether the rule of Islam and the regime of Islam was a democratic regime or one of bullying and dictatorship.”<sup>5</sup>

In addition to the previously mentioned words of the Imam, it is participation, active and continued presence of the people in elections. He stressed that people participate in electing the president, the Islamic Consultative Assembly and the Assembly

1. Ibid., p. 54.

2. Ibid., vol. 21, p. 371.

3. Ibid., vol. 11, p. 34.

4. Ibid., vol. 8, p. 281.

5. Ibid., vol. 4, p. 325.

of Experts on leadership.<sup>1</sup>

Similarly, he wanted the people to supervise the actions of administrators and their supervision to be accompanied with giving their views:

“All women and all men must become aware of social issues, of political issues and supervise. They should supervise both the legislative assembly as well as the workings of the government. They should express their views. Now all of them must supervise the affairs. They must give their views on political issues, on social issues, on issues on which the government takes action. They must use their right and see if they make a single mistake.”<sup>2</sup>

In the writer's opinion, no religious jurisprudent has emphasized on the nation's rights to the extent of Imam Khomeini. In the ‘decade of ignorance’, with the coming to power of Hoveyda, the foundations of the system of monarchy were laid on the bedrock of more oppressive dictatorship and consequently, the rights of the nation were ignored. Addressing the government of Hoveyda, the Imam warned:

“Violation of the constitution is evidence of backwardness. Illegal and at the same time rigged referendum is evidence of backwardness. Preventing the nation from electing a representative and appointing a notorious individual on others’ order - without involvement of the nation - is proof of weakness and backwardness.”

“You all know that if the nation takes its destiny in its own hands, your situation won’t be as it is and finally you must leave. If you grant ten days of freedom to orators and writers, your crimes will be exposed; you do not have the power to give freedom for “the traitor is fearful”. Taking away the freedom of press and dictation by the so-called ‘security’ organization is

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1. Ibid., vol. 21, the Last Will.

2. Ibid., vol. 13, p. 193.

evidence of backwardness.”<sup>1</sup>

In another place, he explains:

“This nation - every nation - has the right to self-determination. This human right is mentioned in the charter of human rights. Every person, every nation, must determine its own destiny; others must not do that. Our nations too have all risen to their feet and want to determine their own destiny.”<sup>2</sup>

In the system of democracy, the important point is self-determination of the destiny of a nation; and consequently, the most pivotal basis of destiny of a community is determination of rulers and legitimacy that the administrators of society must attain through votes of the people. Based on the previously mentioned theories of Imam Khomeini, nobody except the nation - and that too with free vote and without government propaganda - can grant legitimacy and recognition to the leadership and the administrators of society. It is interesting to note that the Imam considered self-determination not only as a legal right; rather a religious right:

“Our religious, our legal and our human right is that our destiny should be in our own hands.”<sup>3</sup>

Imam Khomeini rejected the principle of monarchy regime from this aspect that a past generation wanted to determine the destiny of the future generation. Thus, rulers who wanted to rule over several generations for life are not legitimate:

“The monarchy in principle was from the beginning illegal, illogical and contrary to human rights. Because for example we assume that, an entire nation has voted that a person should become the sovereign; that is very good considering that they are in control of their own destiny and have the right to self-

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1. Ibid., vol. 2, p. 135.

2. Ibid., vol. 3, p. 503.

3. Ibid., vol. 6, p. 13.

determination. Their vote is practical. However, if a nation has voted - even all of them - that the descendants of this sovereign should also become sovereigns - what right is this? Fifty years earlier a nation determines the destiny of the successive nation! The destiny of every nation lies in its own hands... what right did our ancestors have to vote for the Qajar dynasty so that Ahmad Shah should rule in our era? The destiny of every nation is in its own hands.

Hundred or hundred and fifty years before, there was a nation that had a destiny and certain powers; but they did not have the power to appoint a sovereign for us... what right did the nation have in that era to determine our destiny in this era?"<sup>1</sup>

At one stage of his struggle, Imam Khomeini has mentioned that the government of our consideration is a republic like other republics. Therefore, one must not assume that the Imam has referred to public vote out of anxiety lest the world accuse us of dictatorship as some people have attempted to offer this justification; or like some Islamic scholars of the time of the constitutional monarchy consider religion opposed to democracy.

The important characteristic of Imam Khomeini's idea of democracy is that sovereignty of the people and democracy are regarded as a right.

Elements of time and place in actualization of democracy

Concerning the possibility of realization of democracy of religion, it is necessary to mention that democracy of religion and will of the people in religious societies is not possible without reform and dynamism of free investigation in sovereignty of the will of the people. Religion and its commandments should not be viewed as obstacles and it must be explained that Islam is neither incompatible nor opposed to the system of democracy. The most important ideological characteristic of Imam Khomeini as an Islamic jurist who is

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1. Ibid., vol. 21, p. 289.

placed at the head of administration of society is to involve time, place and conventional understanding in deductions of jurisprudential opinions. With such a viewpoint, one can without doubt relate religion to democracy.

“Time and place are two decisive elements in practice of religious jurisprudence ‘*Ijtihad*’. An issue that in the past possessed a decree apparently the same issue can likely find a new decree in relations governing politics, society and economics of a system. This means that with an accurate understanding of economic, social and political relations, that same earlier subject that has apparently not changed with the past has in fact become a new subject that undoubtedly demands a new decree.”<sup>1</sup>

More important is that in understanding of verses and narrated traditions, Imam Khomeini considers conventional details as the yardstick ~~Not scientific thoroughness~~ because Islamic jurisprudence is of the arbitrary subjects compiled for resolving legal problems of society; and the relationship of human beings based on convention, undergoes changes and transformations:

“The criteria for understanding narrated traditions and superficialities of words are the general convention and conventional understanding of the people and not the scientific analyses - and we too obey the conventional understanding. If the Islamic jurispudent wants to involve scientific details in understanding of narrated traditions, he shall not be able to dwell on many of the topics.”<sup>2</sup>

He wants the legislative body of the country to utilize services of experts for understanding the subjects and to make use of rationality:

“The opinion of committed and pious experts should be sought

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1. Khomeini, Ruhollah: *Jurist Guardianship*, p. 99.

2. Ibid.



for understanding of subjects related to secondary rules of Islam so that tasks are performed competently. It is also necessary to remind that rejection of secondary rules after understanding the subject with the help of experts is not different from rejection of the primary decrees because both rules are 'commandments of God'.<sup>1</sup>

It appears that in an ideological framework that has been shaped based on convention, expedience and time and place, democracy and will of the people are reconcilable; because in this intellectual system, freedom is acceptable in its rational sense and as a human right. Pluralism of interpretations and various statements are not rejected; and in this intellectual system, violence, intimidation and fear do not exist. With this practice of religious jurisprudence, one can accept free investigation in principles of Islamic jurisprudence as well; and as secondary rules take action based on national expedience and interests.

Those who think that Imam Khomeini had proposed republicanism and democracy as a strategy in order to silence the enemies and that the system of the Imam's viewpoint is the system of guardianship and nominated rule of guardianship of religious jurisprudent - such allegation is not compatible with intellectual system of the Imam and practice of religious jurisprudence is in relation to designation. Can one speak more explicitly about national sovereignty than the following statement?

"Democracy is the vote of the majority... whatever the majority say is valid even if it is wrong; even if its to their own disadvantage. You are not their guardian to say that 'this is to your disadvantage and we won't go along. You are their lawyer; you are not their guardian.'"<sup>2</sup>

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1. *Sahifeh-ye Imam*, vol. 17, pp. 320-21.

2. *Ibid.*, vol. 9, p. 304 (addressed to...) mentioned.

A religious jurisprudent who regards convention, expedience, time and place as criteria of understanding of Qur'anic verses and narrated traditions, sketches the shape of government with such a view as well. In other words, the intellectual basis of the Imam is not to distance himself from what the intellectuals of the world have accepted; and democracy is a form of government that the educated and the intellectuals of society have accepted. Thus, the Imam's insistence and endeavor in the first days following the triumph of the Islamic Revolution was that the Consultative Assembly and the body for compilation and ratification of the constitution should be established so that people would feel that they are the owners of the government.

Writing the constitution and establishing the Consultative Assembly strongly insisted upon meant that power must flow through the legal channels and the holders of power must limit and bind themselves to the law; and the entire nation - including Muslims and non - Muslims - are equal in the eyes of the law. Freedom enunciated in the constitution must be respected and in one word, the rights of the nation envisaged in the constitution and the legislative body must be regarded as the basis of legitimacy of the system such that 'fatwas' religious decrees and jurisprudential assumptions should not hinder the implementation of the law.

"The government determines the practical philosophy of countering polytheism and faithlessness and the external and internal intricacies; and these student discussions that are within the theoretical framework are not only insolvable; rather, they reach us to dead ends that end up in apparent violation of the constitution."<sup>1</sup>

This means that government must not restrict itself to the framework of religious jurisprudence so that jurisprudential bottlenecks isolate it; rather, government, which is a branch of

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1. Ibid., vol. 21, pp. 217-18.

the absolute religious authority of the Prophet of Islam (SA), is one of the primary prescripts of Islam and is superior to all secondary rules and even mandatory prayers and prescribed fasting.<sup>1</sup>

In conclusion, according to Imam Khomeini's system of practice of jurisprudence democracy and will of the people or more accurately, national sovereignty finds meaning and republicanism in the sense of substructure of system and basis of government - which is among the primary prescripts of Islam - has no incongruity and mutual aversion to religion. Yes, if we narrow our interpretation of religion, Islamic jurisprudence and its practice and consider the secondary rules of jurisprudence to be above government than democracy will be exactly opposed to religion. If we wish to apply the principles that the Imam considered for survival of the Islamic system to political philosophy, then we must have a kind of intellectual restructuring of basic principles, of secondary rules as well as of values - and this revision and restructuring is possible with principles that take note of the elements of expedience, time and place in the exact meaning of the term.

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1. Ibid., vol. 20, p. 452.

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# **Democracy of Religion from Imam Khomeini's Viewpoint**

*Hujjatul Islam Mohammad Malekzadeh*

## **Subject Proposal**

Among modern thinkers, His Holiness Imam Khomeini possesses a unique characteristic that in addition to presenting a clear and logical plan of administrative theory of Islam, he has succeeded in establishing and implementing it. What this article intends to put forward is explanation and examination of democracy of religion and to prove the point that this discussion has arisen from the most important political thought of the Imam concerning the standing of people in Islam's administrative system.

## **Historical Need and Record of Discussion**

With reference to historical consideration, involvement of people in determination of their own social destiny in the form of pronouncement of public vote does not have a very long record. Among Muslims, too this subject has never been transformed in to a structural and institutionalized program; and with the dawn of the Islamic Revolution led by the great leader His Eminence Imam Khomeini and his proposal of idea of Islamic republic, this subject took on a tangible form. Herein and following the main question of this investigation that in what manner is the role and definition of democracy in an

Islamic government from the viewpoint of the Imam, different questions have been designed including that, in Islam and the Imam's thought, what is the source of power and administration? To what extent is the need for public participation in political administration of Islam? What role model does the Imam offer on this subject? What is the nature of an Islamic administration from his point of view? What is the applicability of the Imam's emphasis on role of people in Islamic administration? There are other questions that can be placed in this category.

### **Public participation in a historical review**

Although the model of sovereignty of democracy was important in political philosophy of Greece from the time of Plato (427B.C.) but until the beginning of the twentieth century this model was accompanied with various vicissitudes and had gradually given rise to various systems of democracy. In Plato's model of democracy, the range of public participation was limited and small to such an extent that apart from a specific section of social elites other strata such as women, the youth and even a large section of the army, workers and employees did not have the right to political participation.

With the establishment of the Christian church, the subject of popular participation in political system of society was cancelled and was a redundant subject. From the second century A.D. until the beginning of the Renaissance, for more than twelve centuries, the Church leaders granted sovereignty to the doctrine of dual authority, which recognized the two distinct powers of government and church. In this period, there were several disputes and arguments between the Roman emperors and the archbishop of the Church about the supremacy of the opinion and decision of the Roman Empire or the archbishop and the people had no other role except to obey, take orders and shun opposition and mutiny based on Christian teachings.

History of Islamic societies on popular participation

demonstrates another route opposite that of Christian societies because from its inception, Islam was firmly established on the pillars of revolt against oppression and tyranny and their replacement with justice, equality and fraternity. Based on this foundation, the role of people as a group responsible and obligated for their own and the society's destiny occupied a special standing. Widespread and repeated revolts of Muslims against injustice and tyranny that Islamic societies have constantly witnessed from the era of the Umayyad until today can be explained in this context. Despite this, political and social participation among Muslims too, despite its perpetuation and even intensity, at certain historical periods in its stages of growth and development never culminated in a structural and institutionalized program and never took on the form of a gathering of votes and presence in the form of announcement of vote until it attained its true form with the onset of the Islamic Revolution and presentation of idea of Islamic republic by the Imam.

The emphasis of the Imam on the role of people in actualization of political system of Islam is not unknown to any person. This role had a key role in actualization; while it had a critical role in criticism, advice and supervision for perpetuation of administration.

Examination of the opinions and views of the Imam proves that regards the standing of the people in the administration to be far higher than an advisory and consultancy one; and he himself would emphasize that "this is the Islamic republic in which all affairs at all stages - even appointment of leadership - is based on the vote of the people. For the people this role is higher than that of consultation and although consultation is not in conflict with independence of the leader, but in this theory people are on the same footing as the leader and are his partners so that naturally, the permission and consent of both is valid.

In an Islamic system, the standing of the people is according to Hazrat Ali (AS), "the administration must be with the

consent and agreement of the people.”<sup>1</sup> In Imam Khomeini has thought, there is no place for imposition of affairs on people against their wishes. He states:

“The Almighty and Exalted God has not given us the right; the Prophet of Islam has not granted us the right to impose a thing on our nation; yes, it is possible that sometimes we make an appeal to them; a humble appeal; an appeal that the servant of a nation makes to a nation.”<sup>2</sup>

### **A general look at administrative model of Imam Khomeini**

We know that the administrative model of Imam Khomeini has been based on three main pillars namely: Islam, people and leadership. The Imam’s theory of democracy of religion has given people a full role within the framework of Islam and has considered their vote as the criteria and yardstick in the practical sphere. This is a point that dates back to the initial years of Islam because Hazrat Ali (AS) despite his nomination by God and the Prophet (SA) at the same time at the beginning of his rule in the ‘Shaqshaqiyah Sermon’ took the presence and demand of the people as witness and declared them as one of the reasons for his acceptance of leadership of Muslims stating that:

“On the one hand it is acceptable to say the foundations of government are established on two pillars of power and legitimacy. Now, the question is that in what manner these two foundation pillars come together. In other words, with regard to the intellect and religious law, what way is deserving and approved for securing and attaining these two pillars?”

In response, “لولا حضور الحاضر وقيام الحجة بوجود الناصر... لا تقيت حبلا على”

1. *Nahj ul-Balaghah*: Letter no. 53, p. 131.

2. *Sahifeh-ye Imam*, vol. 11, p. 34.



”غابها لغا” we first discuss the first pillar of administration - which is power. In relation to the question that, ‘what is the source of power in administration?’ there are two answers:

1. *Coercion and aversion*: In this method, in which there exists a power superior to the will of the people, and rules over them against their wishes and by force and compulsion. This style of coming to power and formation of government is unacceptable from the viewpoint of canons of Islam because in many verses of the Glorious Qur'an this point has been emphasized repeatedly that divine leaders are only commissioned to summon people to support and to follow them in order to establish rule of justice in society and not to rule over the people by exercise of force and depriving them of their rights. In particular, God states to His Prophet that:

“If God had willed, all those living on earth would have believed; do you want to compel the people against their will to become believers?”<sup>2</sup>

Or in the Surah Al-Baqarah He states:

“No compulsion be in religion; indeed truth has been made manifest distinct from error...”<sup>3</sup>

Again addressing His Prophet, He states:

“You are only a reminder: you are not over them a compeller.”<sup>4</sup>

From these verses and verses similar to them, one can deduce that in Islam, use of force to compel people against their will in order to establish administration and an Islamic society is unacceptable and undesirable, and God does not grant such

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1. *Nahj ul-Balaghah*: sermon 3.  
2. Surat Yunus: 99.  
3. Surat Al-Baqarah: 256.  
4. Surat Al-Ghashiyah: 21-22.

permission even to His Prophets and saints. It is evident that this subject is concerned with establishing a divine society and upholding the rule of law and justice. However, after establishing it with the will and support of the people it is the duty of divine leaders to take steps for safeguarding and upholding justice in Islamic society using the power that they have achieved with the support of the people. In addition to what has been mentioned in divine law, from the rational point of view too establishing social justice is incumbent on the will and wishes of the people meaning that in case of lack of collective will, it is not possible to establish social justice. Based on this premise, whether from the viewpoint of religious law or from reasoning, establishing rule of justice in Islamic society depends on the wishes and will of the people.

Imam Khomeini states thus on this subject:

“Administration of Islam is not separate from the people; it is from this people and from this population.”<sup>1</sup>

Similarly, he states:

“It is among the fundamental rights of every nation that it must determine its destiny and the form and type of its government.”<sup>2</sup>

It appears that in these two texts the Imam refers to the two aforesaid points of view of religious law and reasoning; the first text points to the viewpoint of religious law in the field of government being of the people, while the second text refers to the command of reasoning that according to command of practical reasoning, it is people's right to have a just government and according to the command of the theoretical reasoning, establishing rule of justice among people is not possible without their collective will.

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1. *Sahifeh-ye Imam*, vol. 8, p. 372.

2. *Ibid.*, vol. 4, p. 367.

2. Collective will and authority: According to what was stated *earlier*, the second reply to the question put forward on source of power in government becomes clear; because according to this theory power of administration whether from the point of view of reasoning or whether from religious law, must originate from the collective will of people. His Holiness the Imam states thus:

“If the people back a regime, this regime does not collapse; if a nation support a regime, that regime will not be destroyed.”<sup>1</sup>

The point that needs to be reminded here is that right to self-determination does not mean that people have no responsibility in determining the type of destiny; and it isn't as though whatever they choose is right, just and pious; rather, according to the viewpoint of reasoning and religious law, people are responsible to use this right towards justice and piety and to choose that which by reason of mind and religious law is advisable and just and to desist from choosing that which is impious and which according to rational and religious reasons is incompatible with justice.

For approximation of the mind, perhaps one can liken right to self-determination to a sort of right to ownership. A person who owns a commodity has the right to possess the commodity. This right to possession in a way implies right to determine the destiny of that commodity. Enjoying this right cannot absolve the owner of his responsibility in lieu of choosing the type of destiny for the commodity. The owner, despite enjoying the right to possession of wealth is responsible for using this right in the manner of justice and to avoid improper and impious usage of this right. The right to self-determination is a right that thinkers have deemed for man in the same way that they deem the right to possession of property for him. This rational right does not in any way mean that there is not any criteria and

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1. Ibid., vol. 8, p. 372.

responsibility for exercise this right.

Another pillar of administration is legitimacy. By legitimacy of regime or ruler is meant the acceptance of the two by a source that must endorse the regime or the ruler; or by another interpretation, that ruler will enjoy legitimacy which possesses the requisite qualifications and merit for occupying that position. This merit will be actualized if power of the regime or ruler is established on basis of justice and is exonerated of injustice and oppression.

Criteria of legitimacy are justice and merit: the will must be appropriate and intrinsically legitimate or it must be intrinsically just meaning a will that itself is inseparable from justice and merit. Based on this premise, the only thing that can be the criteria of justice, merit and legitimacy is the Will of God.

Thus one can say that criteria of legitimacy of a regime in the field of legislation or execution or justice is solely the Will of god and no other thing - even if it is the will of entire humanity - cannot be the inherent criteria of legitimacy of a regime. This result is evident from the words of the Imam:

“The rule of Islam is the rule of law. In this form of government, sovereignty is solely of God and God’s law, commandment and decree. The law of Islam or the commandment of God has full authority over all individuals and over the Islamic government. All individuals from the Honorable Prophet of Islam (SA) to the successors of His Holiness and the rest of individuals are subservient to the law until eternity - the same law that has descended on behalf of the Almighty and Exalted God and has been expressed in the language of the Qur’an and the Prophet of Islam (SA). If the Honorable Prophet (SA) took over the responsibility of the caliphate, it was about God. The Almighty and Exalted God appointed His Holiness as the caliph.”<sup>1</sup>

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1. Khomeini, Ruhollah: *Jurist Guardianship*, pp. 44-5.

From the viewpoint of reasoning and religious law it is only the will of God that be the criteria of legitimacy because in addition to what was mentioned earlier, it is only divine Will that dominates all wills, behaviors and sayings; and that which can be the criteria of legitimacy of voluntary action is solely the Will of God. This is because justice is inherent to Him and His Will dominates over all voluntary actions and the result is that the circumstance in all voluntary actions of human being is such that human will is the source of existence of voluntary actions; and the will of God is the source of that legitimacy. Therefore, on the question of demonstration too which is one of the voluntary human actions and for this reason it comes into being with their will and authority, the criteria and yardstick of legitimacy is the Will of God. Any government that is not sourced in the Will of God even if it comes into existence with the will of the people, it does not enjoy legitimacy. In this regard, Imam Khomeini addressing the Guardian Council that is responsible for ensuring the conformity of laws and regulations with the Divine commandments and sources of religion, states thus:

“Basically, it is God that must be taken into consideration and not people. If a hundred million human beings; if the entire humanity were on one side and you observed that what they were saying was against the commands of the Qur'an , you stand up and say what God has said even if all revolt against you. This is how all prophets acted. For example, did Prophet Moses (SA) act differently when confronting the pharaoh? Did he have a proponent?”<sup>1</sup>

### **Nature of Islamic Government**

From what was mentioned earlier, the nature of an Islamic government and its dissimilarity with other types of

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1. *Sahifeh-ye Imam*, vol. 13, p. 53.

governments becomes clear. The main dissimilarity of an Islamic government with a dictatorial regime is that in an Islamic government, the will of the people is the source of power while the will of God is the source of its legitimacy. Thus, an Islamic government possesses both the rational pillars of government meaning popular power and divine legitimacy whereas a dictatorial regime relies neither on the power of the will of people nor on Divine legitimacy.

The difference between an Islamic regime and a democratic one lies in that democracy suffers from crises of legitimacy and does not have a source that can secure its legitimacy because will of the people which is the infrastructure of democratic regime although it grants entity to democratic government and secures the power of the government in the sphere of execution, but it is unable to secure legitimacy for democracy. However, in Islam's system of administration the will of the people is the source of power and the will of God is source of legitimacy. Thus, it is only in the administrative system of Islam that two rational pillars of administration meaning power and legitimacy each have their own logical and rational status. Imam Khomeini states that:

“Islamic regime is neither dictatorial nor totalitarian; rather it is ‘conditional’. However, ‘conditional’ not in the current meaning of the term whereby approval of laws follows the votes of individuals and the majority; ‘conditional’ in the sense that the administrators adhere to a set of conditions in execution and administration that has been determined in the Glorious Qur'an and narrated traditions of the Honorable Prophet of Islam (SA). ‘The set of conditions’ are those same commandments and canons of Islam that must be observed and implemented. In this respect, an Islamic government is ‘government of Divine Law over people’. The basic difference of an Islamic government with ‘conditional monarchy’ governments and ‘republic’ lies in that representatives of the people or the monarch in these types of regimes undertake legislation whereas the legislative power and religious

authority in Islam has been given solely to God. The sacred canons of Islam are the singular legislative power. No one has the right to legislate and no law except the decree of religious law can be put to implementation.”<sup>1</sup>

### **Role of people in government from viewpoint of Imam Khomeini**

His Holiness the Imam strongly emphasized the role of people in government and their right over the rulers; he would always warn the authorities about safeguarding rights of the nation. Her, we briefly discuss certain aspects of this subject:

1. Giving importance to people both before and after the victory of Islamic Revolution

At the same time, that the Imam believed that grounds for raising and elevation of people's mentality must be prepared, he attached a lot of importance to public opinion. He had repeatedly reminded the authorities of showing respect and humility towards the people. From his viewpoint, in the same way that for coming to office of a government administrator, primacy is with the people, the same holds true for the highest-ranking official or officials. For example he would state:

“When the people are fed up with a civil servant, he must quit.”<sup>2</sup>

In another instance, he states:

“In any case, we must seek to have the people on our side... without the backing of the people, it is impossible to work.”

About the participation of the people, he states:

“All of you know that the thing which is necessary for all of us is that we bear in mind to keep the people actively involved in

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1. Khomeini, Ruhollah: *Jurist Guardianship*, pp. 43-4.

2. *Sahifeh-ye Imam*, vol. 5, p. 244.

affairs; and one end of this depends on the government, the president and the legislative assembly; while the other end of it depends on the people themselves. If you protect this end we are confident that the vast majority of our nation will protect the other end.”<sup>1</sup>

## 2. Acknowledging the necessity for the active presence of people

The Imam would always stress that we must not behave in such a way with the people that they become discontented. Thus, he states:

“Concerning trade, concerning industry, concerning all of these, you will not succeed if you don’t take the people as your partners.”<sup>2</sup>

Or he would state that:

“They must now think of the important aim of having the people on their side; and one of the ways is that ministries and government offices do their job in such a way as not to create discontent.”<sup>3</sup>

The Imam considered the Revolution as belonging to the people and the people as being the strongest supporters of the Revolution. He would always stress on the maximum participation of the people.<sup>4</sup>

## 3. Consent of God lies in the consent of the people

On this subject, the Imam would state:

“What means everything to us is gaining the consent of God; and that depends on gaining the consent of the creature of God.”<sup>5</sup>

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1. Ibid., vol. 19, p. 407.

2. Ibid., p. 35.

3. Ibid., pp. 35-6.

4. Ibid., vol. 18, p. 337.

5. Ibid., p. 270.



On the significance of gaining consent of people, he stated:

“Attracting the attention of the people is essential. The Honorable Prophet of Islam (SA) would attract the attention of the people. He would pursue the objective of attracting the people. He would make efforts to draw the attention of the people to the Truth. You too must pursue this objective.”<sup>1</sup>

“You must do something to win the affection of the people. This includes the consent of God as well.”<sup>2</sup>

From the statements of the Imam concerning the people and their status in an Islamic administration, one can conclude that his criteria was acting upon the Islamic teachings combined with respecting wishes of the people; and in one instance he himself has categorically referred to this point and states:

“Islamic republic means a regime based on the wishes of the people and commandments of Islam.”<sup>3</sup>

#### 4. Principle of respecting people's vote

What is apparent from the messages and writings of the Imam are that in instances despite knowing that people might possibly make a mistake in their selection, yet he would not intervene directly and in this manner, he would try to guide towards growth, progress, gaining of experience and practical recognition of politics. It is famously known that the Imam himself did not vote for Bani Sadr - who became the president of Iran in the first presidential election held after the victory of the Islamic Revolution - and later he referred to this point. Obviously, he did have his reasons and logic for this step and had he made the slightest reference at that time, certainly, the voting pattern would have changed; but the Imam not only did not do so, but after the election too, he respected the vote of the

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1. Ibid., vol. 17, p. 251.

2. Ibid., vol. 8, p. 136.

3. Ibid., p. 381.

people. Although it ended in a bitter experience - an experience that the people themselves must go through and conclude that Bani Sadr lacked the requisite competence and qualification for appointment to such a position. He would state that: "Freedom is the right of the people; independence of a country is the right of its inhabitants."<sup>1</sup>

He would mention categorically that people are the ultimate decision-makers on all issues<sup>2</sup> and considered his own policy to be based on freedom, independence and safeguarding the interests of people.<sup>3</sup> Right from the start the Imam would give importance to public opinion for establishing the Islamic Republic and would state that:

"With regard to the present conditions and demands of our society, the government will be appointed by the people themselves."<sup>4</sup>

5. Emphasis on establishing councils as a manifestation of democracy

If we consider the formation of various councils as manifestations of democracy and involvement of people in running the country, years before such an idea had even crossed the minds of representatives in the Islamic Consultative Assembly, precisely two months after the victory of the Revolution when still there were many conspiracies at work, Imam Khomeini not only proposed sovereignty of people through formation of councils even in the remotest districts and regions of the country, rather, it proclaimed it as a necessity of the Islamic Republic system. He stressed on preparing and adopting Islamic law in relation to establishment of councils.

"Towards the objective of establishing popular rule in Iran and

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1. Ibid., vol. 5, p. 201.

2. Ibid., vol. 16, p. 159.

3. Ibid., vol. 4, p. 364.

4. Ibid., p. 348.

sovereignty of the people over their destiny, which is of the essentials of Islamic republic, I consider it necessary to prepare the executive charter of councils immediately for administration of local affairs of towns and villages all over Ira; and after approval, to communicate it to the government so that the government will implement it immediately.”<sup>1</sup>

The Imam would always stress on friendly and cordial relations between people and authorities and would say to them that:

“Sit among the people; talk with the people so that the mutual fear of the past is eliminated and God forbid, the government authorities don't fall into the trap of ambition and become captivated by position and rank and come to believe that such and such position and authority was not their father's inheritance.”<sup>2</sup>

At the same time that he stressed on the active presence and participation of the people in various arenas, however, whenever he felt that he needed to prevent deviation and plots, he would firmly express his views and provide necessary guidance. When establishing the system and government various proposals and opinions including ‘government of the masses’, ‘Democratic Islamic Peoples’ Republic etc... were presented, with a uncompromising and firm message, the Imam put an end to these disputes and stated: “Government of the Islamic Republic, not a single word less not a single word more.”

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1. Ibid., vol. 7, p. 167

2. Ibid., p. 241.

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# **Principles of Legitimacy of Political Power from Imam Khomeini's Point of View**

*Maqsoud Ranjbar*

## **Introduction**

Principle of political power, political sovereignty and legitimacy of political system is one of the basic and critical differences between democratic and non-democratic states. In a general distribution, in democratic states, will of the people is the main basis of political power. The government is manifestation of national will; and its legitimacy is derived from want and will of the people. In democratic states, political power is exercised through active political participation; and based on it the political bodies of society, are established by means of public vote; and they exercise political power under supervision of the people. Perpetuation of legitimacy of these government bodies in exercising political power depends on the extent of their ability to gain 'public consent'. 'Public consent' at the manner of exercising political power results in survival of political bodies and structures ruling over every country so that these countries possess greater stability and face fewer crisis. This is the main objective of democracy. Public consent is a visible and palpable affair and at the same time it is relative meaning gaining public consent in absolute terms is impossible. Nevertheless, every state and political system for its survival and legitimacy must secure a high level of public consent. In

contrast, in non-democratic states, the political system lacks legitimacy and public consent is not a condition and factor for survival of the political system; rather, power of the system is established on power of suppression more than relying on factors of legitimization.

In this article, we attempt to examine the principles of political power from Imam Khomeini's point of view and to clarify the position of popular legitimacy in it. The main question that we seek to answer in this article is that whether from the Imam's view, legitimacy of political system originates from the people or not? In answer to this question, we must say that from the Imam's viewpoint, apart from the role of Islam in granting legitimacy to the state, the people have an independent role in granting legitimacy to the political system. In this article, first we shall discuss comprehensively the existing viewpoints on this subject and thereafter, offer our own reasons in support of the above hypothesis.

#### **A. Legitimacy from viewpoint of Islam**

Some believe that in Islam, legitimacy has been separated from acceptability; and that which is related to the people's vote is acceptability of the system and that legitimacy of the Islamic system is independent of the wishes of the people. In their view, 'the majority' can never be a perfect yardstick for legitimacy and political entity and it is possible that a regime is inherently legitimate and possesses entity but has not found acceptability and external realization:

"People do not give legitimacy to the government of the religious authority; rather their vote and consent results in their creation."

Or

"No one has the right to sovereignty except the person who has been appointed on behalf of God Almighty meaning the rule of

a person appointed on behalf of God is legitimate.”<sup>1</sup>

Similarly, further than that:

“We must accept the sovereignty of that person in whose regime we achieve the consent of God and discover a decree of God for his leadership.”<sup>2</sup>

From this viewpoint, the rule of the jurisprudential authority relies on divine leave and is free of people’s demand. The only role that people can play is to accept the regime and its external entity. From this viewpoint, emphasis on vote of people is a matter that is acceptable in the liberal doctrine while in the framework of Islam such a thing does not exist:

“Vote of people has no effect on legitimacy in an Islamic system... thus what some say that in the Islamic state God has given the right to people to choose their ruler and they do so with their vote and entrust the reins of affairs to an individual is a statement that is true in the liberal doctrine and not in the doctrine of guardianship of religious jurisprudent.”<sup>3</sup>

As is evident from this viewpoint, in Islam, legitimacy of an Islamic state is a matter that is realized with Divine permission; and the vote of people has no effect on the issue. The main basis of the above deduction is separation of legitimacy from acceptability; but the question is whether this separation is possible.

It appears that such separation is theoretically and practically impossible. Until a state does not have an external and tangible entity, how can one discuss its legitimacy! The above deduction can be explained thus that, “Islamic state or more precisely, rule of the Islamic jurisprudent is legitimate whether it exists or it

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1. Mesbah Yazdi, Mohammad Taqi: *State and Legitimacy, Book of Criticism*, vol. 7, p. 3, 1998.

2. Mesbah Yazdi, Mohammad Taqi: *Islamic State and Guardianship of Supreme Jurisprudent*, p. 158.

3. Larijani, Mohammad Jawad: *State and the Bounds of Legitimacy*, p. 341.

does not.” Because according to this viewpoint, acceptability is interpreted in terms of tangible entity of the government. Now the question is that how one considers a government that has yet to exist tangibly to be legitimate; and whether, one can discuss about legitimacy or administrative issues that do not exist! It must be said that one can discuss concerning legitimacy of a government only when that government exists. What can be discussed before formation of any government is its desired results and characteristics, which with regard to the characteristics the supporters of that administrative system because of the merits of the government and its external performance and manifestation vote in favor of its legitimacy. Here the distinction between ‘legitimacy of shaping’ and ‘legitimacy of perpetuation’, which some have called ‘primary legitimacy’ and ‘secondary legitimacy’ respectively can be useful. When the supporters of a system of administration present their viewpoint about government this viewpoint is welcomed by the people. Based on this issue, that political system takes shape, its initial legitimacy is actualized and in case of continued welcoming by the people, its legitimacy will perpetuate as well. This means that the only criterion that can bring about legitimacy is acceptability of the people; and those who believe that rule of religious jurisprudent possesses legitimacy whether it exists or it does not, have any reason to make this claim. Therefore, to speak of legitimacy of a system of government when basically, such a government is not existing cannot have a logical basis.

The main basis of the above separation and emphasis is Divine sovereignty, which is considered in Islam as the basis of sovereignty.<sup>1</sup> Now the question is that whether in the Qur'an and narrated tradition, government is based of vote of the people or that an Islamic state is a Divine government whose

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1. Mesbah Yazdi, Mohammad Taqi: *State and Legitimacy*, Book of Criticism, p. 3, no. 7, summer of 1998.



legitimacy is not dependent on vote and opinion of the people. Is it consent of the people that results in legitimacy of a state in an Islamic society or an Islamic state receives its legitimacy from God without consideration for consent or lack of consent of people?

To answer the above question, it is necessary to examine the role of people in election of government and source of power and sovereignty from the viewpoint of the Qur'an. The Glorious Qur'an reckons absolute sovereignty to belong to God. "Only the Command is that of Allah..."<sup>1</sup> This means that sovereignty of the entire world of existence belongs to the Omnipotent, Almighty God. The question is that what is the relationship between divine sovereignty and political sovereignty? Some interpret this verse in a wide context and consider political sovereignty to belong to God as well. The Khawarij were the first group to interpret this verse in this manner and defined 'command' as meaning 'rule'. They believed that no one except God has the right of rule. In response to the Khawarijites, His Holiness Hazrat Ali (AS) stated that in this verse by 'command' is meant 'legislation' not 'rule'; and people are in need of a ruler whether he be a virtuous person or a wrongdoer so that under his government or rule, the pious does his job and the infidel disbeliever benefits from his worldly existence.<sup>2</sup>

It appears that all those who consider sovereignty in the sense of 'rule' to belong to God make such a mistake and confuse 'command' in the sense of legislation with 'rule' in the sense of government. In Islam, legislation and canons are from god but their implementation is in the hands of the people meaning that sovereignty in its executive dimension is not regarded as a divine affair; rather, it is a human affair. Divine sovereignty is the true sovereignty whereas political sovereignty is an arbitrary affair and is based on contract; (In Islamic

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1. Surat al-An'am: 57.

2. *Nahj ul-Balaghah*, translated by Jafar Shahidi, sermon no. 40.

culture, it means ‘allegiance’) and extraction of an arbitrary command from a true command is impossible. Therefore, those who have presented a wider interpretation of divine sovereignty and who in addition to command and law, also interpret it as ‘government’ are unwittingly making a mistake because from the political aspect, a section of the people in any case are governing in various forms.

Moreover, just as ownership of God over the entire existence does not prevent legitimacy of individual ownership, divine sovereignty in the existential and true sense of the term also does not prevent legitimacy of individual sovereignty and establishment of government based on will of the people; rather, this affair prevents absolute rule because from the historical aspect, in Islamic societies as well as in other societies, emphasis on divinity of government and sovereignty has only justified absolute rule and in practice, nothing else has been noticed except an individual who in absolute terms holds all power.

On the other hand, in original Islamic sources too there is evidence corroborating popular basis of political sovereignty. On numerous occasions in the ‘Nahjul Balagha’ Hazrat Ali (AS) has stressed the right of sovereignty of people or concerning his acceptance of the caliphate has stated that:

“Was it not for these who have sworn their allegiance to me and companions had not said the final word to me, I would have given up this job.”<sup>1</sup>

In another place, he has stated that:

“the people did not swear allegiance to me because of administrative control and power over them and not because of wages and rewards that are available; the people did not swear allegiance out of compulsion and coercion, rather they did so

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1. Ibid., Sermon no. 3.

willingly and with pleasure and autonomy.”<sup>1</sup>

Similarly, when people were swarming to swear allegiance with him, Hazrat Ali (AS) had stated:

“Go to the mosque so that swearing of allegiance does not take place covertly and except with the consent and wish of Muslims.”<sup>2</sup>

These statements of Hadrat Ali (AS) are a clear and direct testimony of the right of people in determining their government based on which in Islam, the government does not gain legitimacy except with free and voluntary allegiance of the people, which in fact is a contract between the people and the ruler. The legitimacy continues until the time people remain committed to their allegiance.

Among the experts too, many stress founding of government - both in the form of traditional paradigms as well as in the form of new paradigms - on the will of the people. Martyr Motahari has stressed based on the Qur'an and the narrated tradition of the Prophet (SA) on the right of people in electing government and responsibility of government with reference to the people. In this regard, he believes:

“From the viewpoint of Islam's social philosophy, not only result of belief in God is non-acceptance of absolute rule of individuals and the ruler has responsibility towards the people; rather, according to this philosophy, it is only belief in God that makes the ruler responsible towards the people; gives rights to individuals and portrays demanding of rights as a necessary religious obligation.”<sup>3</sup>

The thinkers of the new paradigm also basically view this subject from a new viewpoint and consider the question that

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1. Ibid.

2. As quoted by Ghazali, Mohammad: *Human Rights in Islam*.

3. Motahari, Mortada: *Reasons for Inclination towards Materialism*, p. 105.

“what is the source of power and what is the role of will of people in political power?” as a ‘reclaimed’ issue that cannot be answered from within texts and traditions and can only be alluded to the collective intellect of Muslims on the basis of Islam’s principles of values.

Based on this perspective, in the Qur'an the main issue is the government of justice and there is no mention about election or appointment:

“In the Qur'an the styles and systems of government have not be emphasized; rather, the emphasis is on ruling justly. Apparently, the Qur'an does not consider determining the styles and systems of government to be in the stature of religion and revelation; rather, it considers ascertaining the values related to government to be in keeping with the stature of religion and revelation. Styles and systems take various forms among communities and individuals; and this has been the case throughout history... the Qur'an has emphasized this fixed principle (Justice).”<sup>1</sup>

Therefore, based on this perspective, there will not be any contradiction with the Book and the narrated tradition of the Prophet (SA) if we consider the will of the people to be the source of power.

Responsibility of government and ruling power in relation to the people arises from the right of people in electing the government. In fact, as long as there is no commitment in theory and practice to the basis of people’s political power, responsibility of government in relation to people is meaningless. While rejecting philosophies that purely emphasize responsibility vis-à-vis God, Martyr Motahari warns of the ill effects of disregarding the rights of people.

“In these philosophies, responsibility in respect of the people has not been noted; being obligated in relation to God has been

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1. Mojtabeh Shabestari, Mohammad: Hermeneutic: *Book and Tradition*; p. 56.

considered sufficient. In order that people do not have any right, justice is that which the ruler enforces and injustice has no meaning for him. In other words, it is assumed that right of Allah results in collapse of human right.”<sup>1</sup>

Therefore, based on above premises and viewpoints, selection of the ruler is among the people’s rights, which the Imam too has emphasized repeatedly in his works, which we shall undertake to examine.

### **B. legitimacy of Islamic state from viewpoint of Imam Khomeini**

About the viewpoint of Imam Khomeini concerning legitimacy as well, there are various viewpoints. Some opine that from Imam Khomeini's viewpoint, legitimacy of Islamic government is a Divine legitimacy and is independent of public will.<sup>2</sup> There is also another viewpoint according to which, from Imam Khomeini’s viewpoint, legitimacy of Islamic government relies on two foundations of religion and people which is discussed under the heading of Divine legitimacy and popular acceptability. However, in this article, we intend to show that apart from the Imam’s viewpoint about divine legitimacy of Islamic government, in his view people can be independently regarded as being the pillars of legitimacy of a political system; and from the statements of the Imam one can extract various manifestations in this field.

Here after examining one of the viewpoints that emphasize on ‘divine legitimacy’ of Islamic rule from viewpoint of the Imam, we shall undertake to present our own viewpoint.

One of the researchers of the Imam’s viewpoint on legitimacy believes that:

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1. Motahari, Mortada: *Collection of Works: A Review of Nahj ul-Balaghah*; pp. 123-24.

2. See: Qazizadeh, Kazem: *Jurisprudential and Political Thoughts of Imam Khomeini*, p. 369.

“With regard to the evidences that we mentioned of the Imam’s view, because as deduced from his various works, his administrative theory - apart from his recent letter to the head of parliamentary commission for reviewing the constitution - divine appointee is the custodian of affairs. Thus people’s vote does not prepare the ground for legitimacy.”<sup>1</sup>

From the above viewpoint, the Imam does not consider legitimacy to arise from the people; rather, he considers acceptability to be the outcome of people’s vote and opinion. This viewpoint too is founded on the assumption that separation of legitimacy from acceptability is possible; and basically, these two subjects are of two different materials. Whereas as we mentioned earlier, separation of these two subjects is not possible in practice; and the Imam too while emphasizing divine appointment in granting legitimization, emphasizes on the independent role of people in legitimization of government as well. Incidentally, we shall see later the letter he wrote before his passing away to the head of the parliamentary commission for reviewing the constitution is evidence of this subject - evidence based on which one can evaluate the viewpoint of peoples’ independent role of legitimization of government and discuss them under the following topics: the Imam’s emphasis on illegitimacy of the Shah’s regime because of its detachment from the people; the Imam’s emphasis on legitimization role of the people after victory of the Islamic Revolution; letter of His Holiness the Imam to the Assembly of Experts for reviewing the constitution; emphasis of the Imam on need to safeguard the system; people’s right to supervision of the Islamic government from the Imam’s viewpoint - all of these topics emphasize explicitly the viewpoint of the Imam concerning people’s role

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1. For example, see; Ansari, Ali Reza: *Legitimacy of Guardianship of Religious Jurisprudent from Imam Khomeini’s Viewpoint*, A collection of articles presented in the conference regarding Imam Khomeini and Idea of Islamic Government; vol. 1, pp. 50-7.

in legitimization of Islamic system.

### **a) Illegitimacy of the Pahlavi regime**

The main reasons and conclusions of Imam Khomeini in his struggle against the Shah's regime was belief in the illegitimacy of that regime because of its detachment from the people.

Imam Khomeini considers the suppression, repression and intimidation by the Pahlavi regime to arise from the detachment of nation from the government and lack of mutual trust and confidence of the government and the people, which is also the result of despotism of the Shah's regime. One of the main slogans of Imam Khomeini in his struggle was rejection of dictatorship that caused violation of fundamental rights and freedom of the people:

“Therefore, his monarchy is basically unconstitutional and does not enjoy legitimacy. Another point is that throughout his reign, the Shah continually violated the canons of Islam and trampled upon the rights of the entire Iranian community.”<sup>1</sup>

Thus the Imam states that (our Revolution) occurred in an environment in which bayonet had replaced justice, imprisonment and torture and suppression instead of freedom; and poverty and misery had replaced welfare and comfort<sup>2</sup> and the objective of the Revolution was liberation from under the yoke of dictatorship and restoration of legitimate rights and freedom:

“They are demanding the fundamental human rights. It is the fundamental human right that I want to be free; I want to speak freely; I want to independent; I want to be myself - this is what we say. This is a statement that is accepted by everybody

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1. *Sahifeh-ye Imam*, vol. 5, pp. 50-7.

2. *Ibid.*, vol. 2, pp. 133-34.

wherever you say it.”<sup>1</sup>

In his historical speech at the Behesh-e-Zahra Cemetery in the year 1979, Imam Khomeini stated his convincing, resolute and logical reasons for lack of legitimacy of the Shah’s regime. His reasoning comprehensively centered around will and demand of the nation while the essence of his reasoning was that no generation can determine the type and form of political system for the future generation unless it is approved by the new generation. Considering that the new generation approved a government provided that it was satisfied with it, the basis of perpetuation of every government from the Imam’s viewpoint was public desire and satisfaction. From this viewpoint, vote of people has an independent role in granting legitimacy to a political system.

Moreover, declared the oppressive nature of monarchies in general and the Pahlavi regime in particular as the reasons for lack of legitimacy of the Shah’s regime which is yet another emphasis vis-à-vis the people’s right to select the type of their own government. At the same time, he stressed two important elements that firstly, the monarchy regime is against rational norms; and secondly, it was against the norms of human rights.

“This monarchy was illegitimate from the start; rather the principle of a monarchy regime is from the beginning illegal and irrational and is against human rights.”<sup>2</sup>

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1. Ibid., vol. 3, p. 510.

2. In another instance of this subject, the Imam while emphasizing the illegitimacy of monarchial regimes considers them to be based on tyranny and that the people have no authority to elect them adding that: “Is it rational that fifty years ago another strata... selects a person as monarch although the Imam does not consider the sovereign to be elected; and then why must his son... without the election by the people? What does it mean? The foremost right of every person, every society is that it must select on its own something that is involved with the destinies of the state.” (Ibid., vol. 4, p. 493)



According to Imam Khomeini's political thought, whether during the struggle with the monarchial regime and whether after the victory of the Islamic Revolution, "right to self-determination" was crucial; and the Imam construes the Shah's regime to be illegitimate because tramples on the people's right to self-determination. In the Imam's view, self-determination is our religious, divine and human right that God has granted to human beings:

"It is our religious, legal and human right to determine our own destiny."<sup>1</sup>

In this sentence, the Imam presents three religious, legal and human principles respectively for sovereignty of man over his own destiny on the basis of which firstly, this right has been granted by God to man so that he can decide about his own life including personal and political. Secondly, the constitution (constitution of the constitutional monarchy movement) has recognized such a right and finally, such a right is a human commandment and human laws decree that a human being governs his own destiny and be secure of infringements of the government.<sup>2</sup>

It is based on the previously mentioned viewpoint that the Imam considers the monarchial regime to be essentially illegitimate because it tramples upon a Divine, human and legal command and makes the people to submit to vain desires of despotic rulers and sovereigns. In another instance, the Imam reckons sovereignty of man over his own destiny to be a rational matter.

"This is a rational issue. Every intelligent person accepts that the destiny of each person must be in his own hands."<sup>3</sup>

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1. Ibid., p. 357.

2. Ibid., vol. 17, p. 163.

3. Ibid., vol. 3, p. 141

The Imam's opinion concerning right of a human being to self-determination is evident in every piece of his writings and there is no room for doubt and denial. According to the writer, the Imam is committed firmly to his belief in every circumstance and considers people's desire for self-determination to be a permanent and irrevocable principle.

**b) Stress role of people in establishing Islamic rule**

Vote of the nation and reliance of government on the vote of the people forms the essence of political thought of Imam Khomeini; and during the era of Pahlavi rule, he would use it in his struggle against the regime. After the victory of the Islamic Revolution too, he established Islamic rule on that basis:

“We proclaimed the Islamic Republic; and the people with their repeated rallies voted for it. It is a government based on people's vote and Islamic rules and teachings.”<sup>1</sup>

The Imam's explanation of the criteria governing the Islamic order also emphasizes this issue:

“What is important is the criteria that must govern this rule and the most important of them is that firstly, it should rely on the vote of the nation such that the entire nation participates in election of an individual or individuals that must take over the reins of affairs and responsibility; and another thing is that concerning these individuals too, political and economic policies and other social aspects and all the Islamic rules and teachings be observed. In this government those holding the reins of affairs must definitely consult in decision-making with representatives of the nation.”<sup>2</sup>

Therefore, an Islamic government is neither dictatorial nor

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1. Ibid., vol. 5, p. 91.

2. Ibid., p. 436.

totalitarian; rather it is conditional and the conditions that restrain it are Divine laws and peoples' opinion. The Imam despised dictatorship and reckoned it to be a manifestation of corruption. He opined that a corrupt rule is the cause of all corruptions that has engulfed us from all sides.

With his view of government being a source of corruption of society, it was natural that the Imam would also oppose dictatorship. Because he considered dictatorship of monarchy to be the worst type of political system, and by taking a minute at the history of this country, he had seen the destructive impact of such a system on the mind, spirit and life of the people of Iran, and on numerous occasions declared his opposition to any type of dictatorship in any form and by any name.

However, about the relationship of Islam and democracy, the Imam never proclaimed an Islamic government to be democratic; rather, he believed that considering that an Islamic government relies on people's vote, it does resemble democratic governments but the laws and principles that its political system will make its plan of action is from God. The Imam states:

“The regime that will replace the oppressive regime of the Shah is a just regime the like of which is not found and will not be found in the west. It is possible that the democracy of our reckoning is similar to the democracies that are in the west. However, the democracy that we want to establish does not exist in the west. Democracy of Islam is superior to democracy of the west.”<sup>1</sup>

Similarly, in another reference, the Imam introduced the post-Revolution Islamic Republic as resembling existing republics in terms of form with the difference that in this republic the contents of governing laws are Islamic.

“But it is a republic just like republics everywhere else. However, this republic relies on a constitution - which is the

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1. Ibid., vol. 4, p. 314.

canon of Islam. The reason why we call it 'Islamic republic' is because both the chosen circumstances as well as the decrees that are to be implemented in Iran are based on Islam. But the choice is with the people; and the form of the republic is just like other republics everywhere."<sup>1</sup>

But he never spoke of the incompatibility of Islam with principles of democracy; and at the same time he would always emphasize concepts such as 'republicanism', 'democracy', 'people', sovereignty of the nation' and rights of the nation which revealed his faith in the role of the nation in legitimization of the regime. This reasoning becomes stronger when he points to the opposition of those regard legitimacy of the regime to be a Divine affair and opposed to democracy. "These experts in general, stress on the incompatibility of Islam with democracy; and thus reject democracy and present it as a polytheistic system. The reason cited by this group of experts for presenting democracy as polytheistic is that they believe democracy means giving primacy to human being in relation to Will of God and preferring human law to God's law,"<sup>2</sup> whereas the Imam never held such a viewpoint of democracy and believed that principles and values emphasized by democracy exist in Islam as well.

The important question here is that fundamentally, what is the stature of people's vote and to what extent is the peoples' opinion valid? For example, can the people oppose the Islamic rule? In answer to this question, one must say that basically, according to the Imam, such a thing is unimaginable that Muslims oppose a regime that conforms to Islamic teachings. From Imam Khomeini's thoughts it can be deduced that with regard to the vision that he had of an Islamic rule as a desirable form of government, it is impossible for Muslims to oppose it; and in case such a thing does occur, then certainly the

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1. Ibid., p. 479.

2. Ettela'at Newspaper: August, 10, 1994, Mohammad Taqi Mesbah Yazdi.

government has deviated from the Islamic and Divine path resulting in people's opposition to it. Thus, the Imam has not expressed his views on the subject that what is the obligation of the people oppose 'Islamic government'? Thus from this viewpoint, one can deduce the stature of people's consistent legitimization from the Imam's view.

**c) The Imam's letter to the Head of the Assembly of Experts charged with reviewing the constitution**

The Imam's letter to the head of the Assembly of Experts commissioned with reviewing the constitution is extremely important in terms of emphasis on people's legitimization of the Islamic system. First, because the above-mentioned letter was written very near the end of his life; second, because this letter he had addressed this letter to the head of the Assembly of Experts for reviewing the constitution whose main duty was to amend the constitution. In this letter the Imam reminds that:

“If the people voted for the Assembly of Experts so that it appoints a just Islamic jurist to lead their state; when they also appointed an individual to take over the leadership, certainly he is acceptable to the people. In this case, he becomes the elected guardian of the people and his orders are binding.”<sup>1</sup>

In this letter, the Imam considers the leader to be elected by the people meaning that if for example a government body other than the popularly elected Assembly of Experts selects a leader he will not be acceptable to the people; and more important, he considers the decree of the guardian to be binding provided he is popularly elected. This sentence clearly shows the impact of selection of the people on validity of the Guardian's decree so that “in this case he becomes the elected guardian of the people and his rulings are binding” even if ‘being binding’ is

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1. *Sahifeh-ye Imam*, vol. 21, p. 371.

interpreted as ‘possibility of becoming practical’, the ruling does not change. This is because, basically, legitimacy or illegitimacy of a thing that does not exist has no meaning; meaning that if the rule is not established argument about its legitimacy or illegitimacy is absurd. Moreover, if the Imam held a different view, he could openly and categorically emphasize the legitimacy of leadership and regime without people’s selection. As we know the Imam would not accept any compromise on Islamic commandments; and if he did believe in such an issue, he would certainly have mentioned it clearly and firmly.

With regard to the Imam’s deductions concerning people’s inclination towards Islamic rule, the Imam did not feel the need for such a distinction. The Imam made a statement which some construe as implying the uselessness of people’s vote and choice in legitimacy of the government. The Imam states: “Basically referendum or national approval is worthless vis-à-vis Islam.”<sup>1</sup> On this subject, one must say that firstly, this sentence is addressed to the Pahlavi regime; and the Pahlavi regime was not legitimate from the Imam or the peoples’ point of view; therefore, holding a referendum on it lacked legitimacy. Secondly, the Imam considers referendum to be invalid vis-à-vis Islamic commandments about which there is no doubt and no obligatory commandment of the commandments of Islam changes with people’s vote and referendum; whereas legitimacy of government does not have an internal religious decree; rather it reveals the relationship of the government and the people. Thirdly, The Imam has made numerous references to legitimization of government by the people, the most significant being the letter he wrote at the end of his blessed life which clearly reveals the final opinion of the Imam as well.

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1. Ibid., vol. 1, p. 135.

**d) Safeguarding the Islamic system and popular basis of legitimacy of Islamic government**

The fact that the Imam considers the people to be the basis of government and political power can be examined in other ways as well. Basically, the most important of the Imam's emphasis which he regarded as 'the most obligatory of the obligations' was preservation of the system and Islamic government which he has mentioned repeatedly in his speeches and with various interpretations:

"The question of safeguarding the Islamic Republic system in this era and with regard to the situation in the world... is among the most important of rational and religious obligations that nothing reaches to it (in importance)."<sup>1</sup>

In order to safeguard the Islamic system, the Imam reckons the most critical and in fact, the most effective factor to be the popular backing of the system - and we observe this phrase repeatedly in his works. Now the question is that whether belief in legitimacy of the Islamic system has an unpopular basis will not gradually cause this thinking to prevail that we consider ourselves independent of needing the support and backing of the people. Even if the theory of non-popular basis of legitimacy of Islamic government is intrinsically right, ultimately, it will cause the gap between the people and the government to increase day by day; and isn't this opposed to the principle of obligation of preservation of the Islamic system, which the Imam has stressed so much upon? Even if we accept the separation of legitimacy from acceptability (that is impossible in actual terms) and consider legitimacy to arise from God, isn't the acceptance of the people necessary for preservation of the Islamic order? If the regime enjoys divine legitimacy as well but gives up its popularity, once again will

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1. Ibid., vol. 19, p. 153.

not the preservation of the system in principle that the Imam emphasized categorically be put in jeopardy?

Therefore, it is logical that if we place a boundary between legitimacy and acceptability in the rational and theoretical world, in the real world of statesmanship and in order to realize the Imam's want, meaning preservation of the Islamic system, we separate them. Because if a regime gives up its popularity, the survival of the Islamic system - apart from the Divine legitimacy that some believe in - will be in danger. In this situation, reliance only on Divine legitimacy - assuming its correctness - cannot be a solution. According to this concept political legitimacy reveals acceptance of the rule by the people that ensures the perpetuation of the political system or in the Imam's words, guarantees preservation of the Islamic system.

#### **e) Supervision of the government by the people from Imam Khomeini's Viewpoint**

Supervision of the government by the people is a fundamental principle of democracy. If we accept the will and desire of the people to be the basis of political power, naturally, people's supervision of the government is necessary in order to prevent misuse of power; and the people's supervision of the government is only possible if the government considers its power and legitimacy to be sourced in the will and vote of the people. Supervision over the manner of exercising power by government administrators occupies an important place in political thought of the Imam, which can be implemented in two ways.

Of the most important elements in political thought of the Imam, is emphasis on internal supervision. According to the Imam, power - intrinsically - is good and considering that God is the Absolute Power, He possesses absolute perfection. Thus, man's inclination for power is a sort of perfection-seeking and spiritual journey towards the Absolute Perfection. The Imam considers power to be dangerous and a threat to society if it is in



the hands of ignorant and uneducated individuals.

“If power falls into the hands of ignorant and uneducated individuals, it is dangerous. Power itself is an excellence. The Almighty and Exalted God is Powerful; but if power falls into the hands of corrupt individuals, it drives this excellence to corruption. The world today suffers from the fact that power is in the hands of individuals that are devoid of humanity.”<sup>1</sup>

In addition to internal supervision, yet another important lever of supervision over government according to the Imam’s viewpoint is external supervision. The people must exercise this supervision so that it prevents deviation of government from the Islamic and human path. This viewpoint originates from the Imam’s fundamental belief about the role of national will in giving legitimacy to the political power. This national will with its supervision must prevent political damage and corruption because lack of supervision by the people of the government’s performance is a factor of political damage and corruption.

“If the nation doesn’t supervise the affairs of government, the parliament and everything; if it steps aside and hands over to them and get preoccupied with their own tasks, it may possibly lead to devastation. We must supervise the affairs of the people; we must... the nation must supervise the affairs that take place in the government.”<sup>2</sup>

This supervision of the performance of all organizations including executive, legislative and judiciary must be accompanied with criticism. The Imam considers this supervision to be the right of each individual member of Islamic community to which the heads of society must be answerable.

“Every individual of the nation has the right to directly in front of the rest, impeach the head of state of Muslims and to

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1. Ibid., vol. 18, p. 206.

2. Ibid., vol. 15, p. 17.

criticize him; and he must give a convincing answer; otherwise, if he has acted against his own Islamic duties, he is automatically ousted from his position as head of government.”<sup>1</sup>

The significance of people’s supervision is to such an extent that the Imam believed that if the guilty ruler did not give a convincing answer for his wrongdoing, he is deposed automatically.

#### **f) The right to oust the government**

In general, in the ideological dictionary of the Imam, removal of an oppressive government is not only people’s right; rather, it is their religious obligation that some interpret as a right and duty.

By relying on this viewpoint, the Imam began his struggle for the ouster of the oppressive and dictatorial Pahlavi regime. In the Imam’s political thought, ouster of an Islamic government is not only impermissible; rather, preserving the Islamic system is ‘most obligatory of obligations’. However, despite this, in the Imam’s view, a regime that does injustice to its people and transgresses the bounds of justice is essentially no longer Islamic. According to the Imam, Islam does not permit dictatorship and God has not given us this right to impose a thing on our nation.<sup>2</sup> The Imam believed that an Islamic government is based and founded on the vote of the nation and if it ever acts against the votes of the people, the nation can dismiss it.

“An Islamic government is a national government. It is a rule documented on Divine canon and the vote of the nation. It has not come into power by coercion and bullying to want to preserve itself; it comes into power with the vote of the nation

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1. Ibid., vol. 5, p. 409.

2. Ibid., vol. 11, p. 34.

and the nation preserves it; and if at any time it acts against the nations' vote, then certainly it is dismissed and the people of Iran will get rid of it.”<sup>1</sup>

The Imam's emphasis on the vote of the people and ouster of government if it disregarded the vote of the people shows that the Imam singularly believes in legitimization role of national will. According to the Imam, in addition to the fact that the Islamic government must implement justice, the Islamic society too is a society that does not tolerate injustice and resists those who aim to impose their unjust wishes on the people:

“Today it is different from what it was during the previous regime; because today it is a country that is not a one-man rule to bully and coerce in order to impose a task on the nation. We do not have such a position at all; in other words, even our nation no longer has the tolerance for such a position. The nation's circumstance is such that if an authority wants to impose a thing, they stand up to him, clench their fists, and thwart him. This is a great blessing for a nation that an authority is unable to commit injustice. Of course, they put the tyrant in his place - and they do it firmly.”<sup>2</sup>

With the above words, the Imam gives a clear answer to the question that whether people are in a position to depose an Islamic government. Because as we saw earlier, the Imam considers preservation of the system as being among the obligatory acts while on the other hand, he believes that the people cannot tolerate oppression and gets rid of the oppressor:

“The rule of Islam is the rule of law. If the head of state of our country commits a wrong in the Islamic rule, Islam deposes him. If he commits an injustice; if he slaps somebody on the face - unjustly - Islam dismisses him. He no longer has the

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1. Ibid., vol. 12, p. 214.

2. Ibid.

capacity to govern.”<sup>1</sup>

In analyzing the above subject, one must say that the Imam considers the preservation of the Islamic system to be obligatory for all but at the same time, he believes that the Islamic government cannot act in a dictatorial and oppressive manner which means that if an Islamic state violates people's rights, oppresses them and becomes unjust, it is essentially no longer an Islamic state even it claims to be one.

Yet another analysis that can be presented from deductions of the Imam's works is that basically the Imam believes in making a distinction between the Islamic system and the performance of the administrators in the sense that preservation of the system whose criteria is the Islamic commandments is obligatory. However, it is possible that administrators deviate from the path of justice so that their removal from office is not only possible, rather, is obligatory for the Islamic community. Therefore, it is obligatory to safeguard the system but the yardstick for survival of individuals is Islamic justice.

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1. Ibid., vol. 11, p. 34.

## **Political Roles of People from Imam Khomeini's Viewpoint**

*Ms. Sayyedah Masoumah Hosseini*

In this article, attempt is made to describe and analyze political roles and participation of people in Islamic system from Imam Khomeini's point of view. As the great political thinker of Islam and outstanding architect of Shiite government in the present era, the Imam's viewpoint on this subject more than any other thinker and ideologue of the past and present centuries, is worthy of contemplation.

Concepts such as freedom, democracy, justice, legitimacy etc... are among the topics related to the subject of people's role in a political system.

By clarifying Islam's view on role of people, the ambiguities mentioned about issues such as extent of people's authority and freedom in Islamic state, impeachment of the guardianship of religious jurisprudent, Islam's view on democracy, people and freedom to elect the type of government, dictatorship etc... will be clarified. Thus, discussion of the issue of people's role in an Islamic state is regarded as a key issue.

Meanwhile, we shall undertake an extensive and comprehensive examination of the subject under discussion and the pioneering article will only be responsible for clarifying some aspects of the characteristic features of Islam's political system.

The theories applied in this research work include the following:

From Imam Khomeini's viewpoint, in a political system, people have the roles of:

1. Participation in political decision-making process;
2. Giving acceptability;
3. Supervision over the government;
4. Supporting the government.

For examination of this theory, initially in the first chapter we explain the compatibility of Islamic system and democracy (as a model of government that gives the most importance to people's vote in making political decisions); thereafter, in subsequent chapters we explain the people's roles of giving acceptability and support from viewpoint of Imam Khomeini. Therefore, the research work comprises of an introduction and four chapters. [Presented by: https://jafrilibrary.com/](https://jafrilibrary.com/)

Definitions:<sup>1</sup> Before anything else, we explain the terms used in the theory of this research work.

Role: Behavior expected from an individual in a specific position of authority.

Political system: An expansive and complex structure that safeguards the existence of society as a single organism that is governed by a central political power. In the first place, a political system because of its leadership is distinct from other social systems. In a narrow sense, normally the government is considered the main body of a political system that has the military apparatus under its command; and in a wider context, the government is official statement and manifestation of the entire society.

Supervision of government by the people: Is a method that is applied for checking the excesses of government.

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1. Bakhshi, Ali: *Dictionary of Political Sciences*, with cooperation of Minoo Afshari-Rad.

Legitimacy: legitimacy is related to representation and consent in political affairs.

The question of legitimacy is what persons merit performing as representative of political power. In general, the power that is exercised is illegitimate if there is no right for exercising it; and if there is a right for its exercise, it is legitimate and rightful. In fact, power and right can be regarded as elementary definitions in understanding legitimacy or rightfulness.

Political participation: organized effort of citizens to elect their leader; effective participation in social and political affairs and activities; and effectiveness in establishing and guiding government policy.

People's support of government: Backing the government for implementation of various adopted policies; defending the government and protecting it from various dangers and damages; preventing its weakness and disintegration.

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## **First Chapter: Democracy and Islamic State**

### **Introduction**

In the discussion of democracy of religion, initially it is necessary to determine the area of dispute concerning public participation in the field of politics. What is nowadays important in the sphere of political participation - and is considered as the main question facing Islamic sovereignty - is whether general presence of the people based on their ordinary and common knowledge and awareness in the shape of public vote in the Islamic political system is interpreted as an acceptable and decisive presence or not.

In other words, whether public will is seen as the basis of decision-making in an Islamic system or that it has a purely supportive role of backing for the sovereignty.

In rational and empirical terms, no political system denies that general presence of people and proclamation of agreement of public opinion vis-à-vis decisions of authorities creates a

strong backing and support for the authorities so that in this case, the administrative system possesses guarantee of survival and firm endorsement. Therefore, the serious discussion revolves round public participation, the manner and decisive level in shaping the administrative system and its decisions.<sup>1</sup>

### **Compatibility or incompatibility of Islamic state with democracy**

The idea of Islamic republic was shaped based on thought of compatibility between theocracy and popular participation. In the constitution of the Islamic Republic of Iran, civil aspects of government are compatible and intimately linked with religious aspects, the supposition of its writers led by the founder of the Islamic Republic was that popular participation, and civil aspects of government do not hinder the sovereignty of religion and obligation to doctrine of religion.

The fact is that rule of guardianship creates a particular model of democracy and popular participation and is not compatible with every model of democracy. This reality casts a shadow on the constitution of the Islamic republic. For example, in a theocracy based on guardianship of religious jurisprudent, Islamic jurisprudence and canons occupy a standing and position beyond their scope meaning that neither the people's vote nor peoples' representatives can invalidate and annul any of the commandments of religion.

The civil aspects of government are placed within framework of religious instructions and do go beyond it.<sup>2</sup> However, this issue will not signify opposition and contradiction of Islamic rule with democracy as well. It is necessary to take note that from the historical viewpoint,

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1. Nabavi, Abbas: *Democracy in Islamic Rule*, pp. 49-50.

2. Vaezi, Ahmad: *Theocracy: Reflection on Political Thought of Islam*, pp. 245-46.



democracy was not established in opposition to theocracy; rather, it was created in opposition to monarchy, dictatorship and despotism. In other words, democracy was presented as being totally opposed to dictatorship but in relation to theocracy, perhaps one can claim that it is more indifferent to it rather than being contradictory. This is because people demand legislation of laws that gain their consent whether those laws conform to Divine laws or are opposed to them - and this is indifference - because if people's laws are contradictory to Divine laws it means that people in the west should first seek the opinion of the scripture, the church or the pope and act precisely against it. However, this is not what had happened.

The people in the west did not accept the obligation of Divine laws and at the same time, did not insist on total opposition. The proof of this is in the presence of subjects in democracy of the west that gains the Divine consent.

In the stage of countering dictatorship and in governing their destiny, there is resemblance in the primary core of democracy in the west and in Iran. However, the bone of contention between these two types of democracy lies in the stage of their implementation meaning that in the Islamic Republic, in contrast with the west, the free will of the people made them to give priority to the law of God vis-à-vis their own opinions; whereas like the west, they could have acted against it and voted 'no' to an Islamic republic.<sup>1</sup>

Therefore, if we view democracy as a method for political participation of people and involvement of their want, will in distribution of political power, and use their opinion either directly or through parliament and election of representative for taking decisions, there is no major obstacle in the path of combining religion and democracy in government.<sup>2</sup>

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1. Qasemi Batroudi, Majid: *Islamic Republic and Democracy*, Values, no. 98.

2. Vaezi, Ahmad: *Theocracy: Reflection on the Political Thought of Islam*, p. 259.

Whether the Islamic republic will be democratic and everybody will be free, whether it is possible to talk of democracy in a regime that is based solely on a single ideology and religion meaning Islam! What will be the fate non-Muslims and non-believers in religion in such a regime? The answer:

“Democracy is contained in Islam; and in Islam people are free both in expression of beliefs and in practice - as long as there is no conspiracy involved and they don't discuss issues that cause the Iranian generation to deviate.”<sup>1</sup>

“Then we shall make them understand what the meaning of democracy is. The western democracy is corrupt; the eastern type is also corrupt. ‘Islamic democracy’ is right; and if later we get the opportunity, we shall prove to the east and the west that the democracy we have is the true democracy and not the one that you have.”<sup>2</sup>

“We also understand that ‘republic’ means that the nation must vote. We accept all these, but we do not accept the term ‘democratic’ even if it is placed beside the word ‘Islamic.’ Moreover, I have mentioned this in one of my speeches that why we do not accept it because it is an affront to Islam. When you place it beside the word ‘Islam’ it implies that Islam is not democratic although it is superior to all democracies.”<sup>3</sup>

“But if there was no benefit from this Islamic republic other than participation of people of all strata in the arena and supervision by all strata of all affairs - this is a miracle that I don't think has been realized anywhere else.”<sup>4</sup>

In this thinkers perspective there is no difference between constitutional monarchy, dictatorship and democracy except in playing with words and deceit of legislators;<sup>5</sup> and it is only within the framework of Islam that the true rights of nations is

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1. *Sahifeh-ye Imam*, vol. 5, p. 468.

2. *Ibid.*, vol. 6, p. 463.

3. *Ibid.*, vol. 11, p. 459.

4. *Ibid.*, vol. 14, p. 204.

5. *Ibid.*, vol. 4, pp. 417-19.

secured; and it is for this reason that basically, he considers a referendum or national approval to be worthless in relation to Islam.<sup>1</sup>

In reply to the question that "Whether Islam with its inflexible laws can ensure freedom and progress?" the Imam states thus:

"Firstly, the basic laws of Islam are inflexible and many of its laws are flexible with specific opinions and can ensure all the methods of democracy."<sup>2</sup>

"Our political program is firstly freedom, true democracy and independence in the full context and cutting off the hands of those governments that have taken over ownership of certain things."<sup>3</sup>

"Islam is a progressive and democratic religion in the true sense of the term."<sup>4</sup>

That which has caused some to view democracy and belief in a particular religious dogma to be at odds is that they consider democracy to be based on the premise that man is free to have whatever thought and doctrine that he wants. This is because the truth of something clear to gather in a single religion or doctrine does not exist; and because Islam believes that it has incorporated all the truth, thus Islam cannot be compared with democracy.

In answer to this question, one must say that belief in epistemological pluralism is not common in various types of democracies and therefore, rational of those who believe in contradiction of Islam and democracy is damaging and open to rejection.

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1. Ibid., vol. 1, pp. 135-37. (Note that according to Imam Khomeini, the monarchy regime is illegal and therefore referendum conducted by that regime is also illegal and worthless.)

2. Ibid., vol. 4, p. 172.

3. Ibid., p. 431.

4. Ibid., vol. 5, p. 353.

Various approaches to democracy and its various models have one common point, which is participation of citizens in decision-making. The necessity for this participation is not only an accepted right of people in Islamic system; rather, for the large part it will be regarded as a religious duty and obligation for them.

### Imam Khomeini and Democracy

In the political thought of the Imam not only is democracy not distinct from Islam, rather, it constituted the main objective of his struggle against dictatorship.<sup>1</sup> According to this viewpoint, the administrative system of Iran - "the Islamic Republic" - is guardian of Islam and democracy<sup>2</sup> and relies on the vote of the nation.<sup>3</sup> The democracy that the Imam talks about is a true<sup>4</sup> and total<sup>5</sup> democracy:

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"The authority must lie with the people... the destiny of this generation must now be in its own hands."<sup>6</sup>

"The basic task of an Islamic republic is to secure independence of the state, freedom of our nation and to combat corruption and immorality; and prepare and compile the laws; and to make necessary amendments in all economic, political, social and cultural fields on the basis of Islamic criteria. These amendments will take place with full participation of all people. Its main objective before anything else is to eliminate poverty and improve living conditions for the vast majority of our people who have been oppressed in all respects."<sup>7</sup>

"The form of our government is 'Islamic republic.' Republic meaning that it relies on the votes of the majority; and

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1. Ibid., vol. 3, pp. 378-80.

2. Ibid., vol. 4, pp. 308-10.

3. Ibid., vol. 5, pp. 503-17.

4. Ibid., vol. 4, pp. 501-04.

5. Ibid., pp. 314-15.

6. Ibid., p. 495.

7. Ibid., vol. 5, p. 155.

‘Islamic’ meaning that it relies on the canons of Islam.”<sup>1</sup>

Therefore, one observes that subject of people’s participation and giving importance to people’s opinion is among the fundamental themes of the Imam’s statements. Imam Khomeini gave special importance to a nation’s right to determine its own destiny and hold the reins of its own affairs.

People’s participation forms the spirit of Imam Khomeini’s words and is the biggest guarantor of invulnerability and victory of Islamic Revolution.

## **Second Chapter: Giving acceptability or legitimization?**

The word ‘legitimacy’ that is mentioned in political philosophy has an idiomatic meaning that must not be confused with the etymological sense of the word and words belonging to the same category. In other words, legitimacy must not be regarded as meaning the same as ‘legitimate’, ‘religious’ and similar words that in political subjects are in the same category as ‘law’.

The discussion of legitimacy of political power is in fact finding appropriate answers to two basic questions: firstly, why must submit to dictates of government? Secondly, which persons have the right to govern over individuals of a society?

The answer of every political doctrine to these two questions presents basis of legitimacy of political power of that political doctrine and philosophy. In Islam’s political doctrine, too discussion of legitimacy is among the fundamental issues that after the demise of the honorable Prophet of Islam (SA) were discussed among Muslims. The basic sectarian difference and coming into being of the Sunni and Shiite sects originated from this point.

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1. Ibid., p. 181.

This subject is nowadays discussed among Shiite jurists in another form with this statement that what is the basis of legitimacy of government during the period of Greater Occultation when direct access to the Infallible Savior Twelfth Imam - may God expedite his blessed reappearance - is not possible?

Can the incumbency of sovereignty of Islamic society without special leave of the owners of the Truth be legitimate? Does the ruler of Islamic society during the period of Greater Occultation because of Divine nomination be legitimate or that there is no reason for this nomination? In this case (lack of nomination), has election of leadership been left to the people themselves or not?

There are other questions of this sort, which because of the expanse of the subjects is beyond the scope of discussion in this article. In this field, we point to only two of the major statements about the basis of legitimacy of Islamic ruler in the era of Greater Occultation; and thereafter we enter the main discussion meaning the Imam's viewpoint on people's role of giving legitimacy in an Islamic system:

### **A) Nominative Guardianship**

According to this theory, during the era of Greater Occultation, the religious jurist has the right to sovereignty and the administration is handed over by the Infallible Imams (AS) to the jurists on behalf of God. The rule of jurist is legitimate only for the reason that it is on behalf of God.

This is because the right of sovereignty only belongs to God and only those persons who have the permission of God can enjoy this right. From this viewpoint, with the same criteria that the administration of the Prophet of God (SA) has legitimacy, the administration of the Immaculate Imams (AS) as well as the guardianship of religious jurist during the era of Greater Occultation will have legitimacy with the difference that appointment of the guardianship of jurist is done by

means of intermediary and is optional. This has been delegated by the Immaculate Imams (AS) to qualified Islamic jurists. It is necessary to mention that according to this view, whenever one of the qualified religious jurisprudents takes the initiative to establish a government and issues administrative directives, then there will not be any doubt left; and the proof of appointment of qualified religious jurisprudent or obligation to establish government by the jurisprudent charged with administration will be final!

According to this viewpoint, people have no role in giving legitimacy to the administration; and legitimacy of the administration is a Divine affair. The standing of people in this thought is confined to actualization of religious guardianship and strengthening it in organizing the system and results in acceptability and efficiency of the leadership. It is understood that in case of people's non-acceptance of religious guardianship the Islamic government does not actualize and gives up its entity although its legitimacy is not affected.

### **B) Elected Guardianship**

Some have wanted to exaggerate the people's role in Islamic rule during the era of Greater Occultation. Thus they have said that because that which has been delegated to the religious jurists by the Immaculate Imams (AS) on behalf of God is general guardianship, meaning that appointment of religious jurists is unlike the appointment of Immaculate Imams (AS) to government and guardianship and is in a particular and ascertained fashion; rather for appointment of a qualified religious jurist and delegation of administration and guardianship to him, one must seek assistance of people's votes and his administration has an ecclesiastic legitimacy. This implies that legitimacy of the guardianship of religious jurisprudence is by Divine appointment and vote of the people as well; and the people's vote with respect to divine appointment is other than determining legitimacy for the

administration of religious jurisprudent. Thus, the main factor of legitimacy of rule of qualified religious jurisprudent during the era of Greater Occultation is Divine nomination; but God has made the right of administration of the religious jurisprudent conditional on vote of the people; and people's vote is condition of legitimacy of the rule of qualified religious jurisprudent.

**Imam Khomeini's viewpoint on legitimacy of government and examination of people's role in this regard:**

Many thinkers by referring to writings of the Imam that discuss the sovereignty and source of its legitimacy in an Islamic state such as '*Kashf-e Asrar*', Treatise on Analytical Thought and Emulation, second volume of '*Al Bay* and the book '*Guardianship of Religious Jurisprudent*' have emphasized that the Imam was an adherent of the theory of Nominative Guardianship as can be deduced easily from the above sources. In the writings that all belong to the period prior to the Revolution, the Imam makes no mention of people's role as being the basis of legitimacy of Islamic state.

However, some others because of the Imam's statements compiled in the collection of books entitled '*Sahifeh-ye Imam*' which unreservedly reckons people's role in giving legitimacy to the regime, regard the Imam to believe in elective guardianship.

Considering that from the time-frame aspect the Imam had entered the discussion of people's involvement at a particular point in his political life and had repeatedly spoken of the impact of people's vote in granting legality to the government, various theories have been put forward on the subject that believe in the occurrence of transformation and evolution in the Imam's thought on the subject of legitimacy. A group too while rejecting this view of evolution and transformation that requires greater proficiency on the jurisprudential-political thoughts of



the Imam, have proven the continuation of theory of nominative guardianship in the Imam's thought.

All-round discussion of this subject is outside the scope of this article and here we summarily discuss the reasons of the believers in the nominative theory of guardianship of the jurisprudent; and thereafter, reasons cited by believers in the elective guardianship of the jurisprudent according to the Imam's thought; and finally, explain this contradiction from the viewpoint of some thinkers.

### **Imam Khomeini and Nominative Guardianship of Religious Jurisprudent**

1. *Kashf-e Asrar*: (1954). This book is the first written work that with reference to it the Imam has mentioned guardianship of the religious jurisprudent. While rejecting legitimacy of all non-Islamic regimes, this book illustrates the rule of the guardian jurisprudential authority. On Divine sovereignty, in this book it is mentioned that:

“No person except God has the right of sovereignty over a person and the right to legislation as well; and as dictated by rationality, God must form a government for the people and devise laws.”<sup>1</sup>

“Except for Divine monarchy all monarchies are opposed to the interest of the people and are tyranny; and except for Divine law, all laws are immoral and absurd.”<sup>2</sup>

Concerning that why administration is the right of the guardian of religious jurisprudence, the Imam writes thus in the book:

“Main principles of jurisprudence for the most part (main basic principles of right of government for the religious jurisprudent) are the traditions and narrations of the Infallible Imams (SA)

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1. Khomeini, Ruhollah: *Kashf-e Asrar*, p. 184.

2. Ibid., p. 186.

which is linked to the Prophet of God (SA) and that is from Divine revelation as well.”<sup>1</sup> &<sup>2</sup>

2. *Ar-Rasa'il*: On the treatise of religious jurisprudence and emulation, the Imam writes thus about Divine Legitimacy in this book:

“Prophetic mission, prophecy, guardianship and science at any level and also other learning do not result in knowledge of the possessor of learning to be binding and does not necessitate submission to it. What the mind commands is that it (command of God) is binding on His worshippers because He is their Owner and Creator so that any sort of occupation and involvement in their affairs is occupation and involvement in His own kingdom and sovereignty. Thus only He inherently deserves to rule and dominate all creatures; and the domination and influence of other’s orders and decrees requires His instauration and implementation.”<sup>3</sup>

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3. The book '*Al-Bay'*: This book is yet another book in which one can find the viewpoint of Imam Khomeini on nominative religious guardianship:

“Just as the Honorable Prophet (SA) appointed the Imam’s (AS) as his successors and nominated them for government over all people; he also appointed the religious jurists as his successors and nominated them to minor and limited rule. The difference between the Imams (AS) and the religious jurisprudents is in this respect similar to the difference between the ruler of a state and governors who on his behalf are

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1. Ibid., p. 187.

2. Note: Here we focus only on discussion of Divine sovereignty and question of legitimacy; thus we have not taken offence at the ambiguities related to evolution of guardianship of religious jurisprudence in the Imam’s thought and that why in parts of '*Kashf-e Asrar*' the Imam has spoken of supervision of religious jurisprudent and not his guardianship.

3. Khomeini, *Ruhollah: Ar-Rasa'il*, Treatise on religious jurisprudence and emulation, p. 100.

appointed to work in various regions of that country.”<sup>1</sup>

The religious jurists have the authority of guardianship on behalf of the Infallible Imams (AS) for all the things in their power.

4. ‘*Guardianship of the religious jurist*’: This book that was written in 1969 is among the most famous political works of the Imam on guardianship of religious jurist or ‘*Velayat-e-Faqih*’. In this book too, the nominative guardianship of the jurist has been emphasized:

“The same guardianship that exists for the Honorable Prophet of Islam (SA) and Imams (AS) for establishing government and implementation and administration exists for the religious jurist as well.”<sup>2</sup>

“It is necessary that the jurists either collectively or individually establish a government in order to implement the prescribed limits and safeguard the frontiers and system. If it is possible for a person to undertake this matter, it is an imperative duty otherwise, it is a collective duty. In case it is also not possible, the guardianship is not invalidated because they are appointed on behalf of God.”<sup>3</sup>

“Islamic jurists” are the second-in-command custodians of the Honorable Prophet (SA); and affairs that are delegated by the Prophet of God (SA) to the Imams (AS) are fixed for them as well and they must perform all the tasks of the Prophet of God (SA) as His Holiness Hazrat Ali (AS) had performed.”<sup>4</sup>

“Islamic jurists are the final word on behalf of the Twelfth Imam (AS).”<sup>5</sup>

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1. Ibid: Status and Powers of the religious jurist; translation of the chapter on Guardianship of Religious Jurist from the *book Al-Bay’*, p. 61.

2. Khomeini, Ruhollah, Jurist Guardianship, p. 43.

3. Ibid., pp. 52-3.

4. Ibid., p. 77.

5. Ibid., p. 82.

As we examined Imam Khomeini in the collection of his writings on guardianship of religious jurisprudent before the Revolution always stressed the nominative guardianship of the religious jurisprudent; and in none of his works has he mentioned the role of people in appearance of guardianship for the guardian authority and granting of legitimacy to his rule.

In continuation of this discussion, we quote sentences from his collected works '*Sahifeh-ye Imam*' that apparently reveal the conviction of the Imam in elective guardianship authority. Evidently, in order to prevent going into details, we shall mention only a few examples:

### Imam Khomeini and Elective Guardianship

"The will of the people had no role in the Shah's coming to power. Therefore, his monarchy is basically illegitimate and has no legitimacy."<sup>1</sup>

"The legislators have no legality because they are not resulting from people's will."<sup>2</sup>

"In their massive demonstrations, the people of Iran proclaimed that they did not want the Shah. They proclaimed it officially; they issued resolutions in which it is clearly mentioned that they do not want the monarchy regime. Therefore the Shah has no legality."<sup>3</sup>

"When they voted that they did not want the monarchy of Reza Shah, the monarchy of Mohammad Reza Shah, the monarchical regime - their destiny is in their own hands. This is yet another reason that his monarchy is illegitimate."<sup>4</sup>

"The basic right of every person, every population, and every society is to elect a thing that is concerned with the destinies of his own country."<sup>5</sup>

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1. *Sahifeh-ye Imam*, vol. 5, p. 173.

2. *Ibid.*, p. 401.

3. *Ibid.*, p. 204.

4. *Ibid.*, vol. 6, p. 12.

5. *Ibid.*, vol. 4, p. 492.

“Even if we suppose that the entire nation gathers and vote for the monarchial regime; of course the nation has the right to choose a regime, but the nation has no right to choose a regime for the future generations.”<sup>1</sup>

“People have the right to elect a person as a sovereign, as a president and as any title. This is correct.”<sup>2</sup>

Question: “What is it about the Shah that you dislike? Is it his illegitimacy, his suppression or his economic and social policies?”

Answer: “Firstly, from the beginning the Shah’s monarchy as well as of his father’s was against the wishes of the people; and secondly, it was imposed on us by the foreigners in order to safeguard their interests. For this reason all his economic, political, cultural and military programs was against the interests of the people and their damaging consequences is now evident in all fields.”<sup>3</sup>

“The entire nation voted for the Shah to be removed; and the world must know the meaning at the Shah has no legality at all.”<sup>4</sup>

“A parliament that is without the knowledge of the people and does not enjoy their consent - this parliament is an unlawful parliament.”<sup>5</sup>

(Former Prime Minister) Bakhtiyar’s government is unconstitutional because both the Shah and the legislators are illegal. Concerning the Shah because of the nation’s referendum held in ‘Tasu’aa and Ashu’ra (day of Imam Hussein’s martyrdom); while concerning the legislators because they do not have the support of the nation and were appointed by the Shah.”<sup>6</sup>

We do not intend to impose a thing on our nation; and Islam has not given us the right to be dictators. We abide by the nation’s votes. In whatever way the nation votes we obey them.

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1. Ibid., vol. 6, p. 197.

2. Ibid.

3. Ibid., vol. 4, p. 413.

4. Ibid., vol. 5, p. 203.

5. Ibid., vol. 6, p. 13.

6. Ibid., vol. 5, p. 381

We have no right; the Almighty and Exalted God have not granted us the right; the Prophet of Islam has not given us the right to impose a thing on our nation.”<sup>1</sup>

As can be seen, all aforesaid instances that pertain to the years 1978 - 1979 considers the people to have a role in granting legitimacy to a regime; and believes in the divine - popular legitimacy of ‘theory of selection’. In order to remove the misgiving that the Imam’s thoughts on the role of people in realization of guardianship of religious jurisprudence suffers from contradiction, we discuss the responses of some thinkers on this subject:

### **Response to the misgiving of ‘contradiction’**

In response to this misgiving one must say that although Imam Khomeini was absolutely convinced in the independence theory<sup>2</sup> of guardianship, however, for reasons such as respect and intense affection for people and giving extreme importance to their acceptance and want and the necessity to safeguard Islam and public interest and taking into consideration the new time and place circumstances, he in practice adopted the ‘precautionary theory’ in order to implement both the former theories. Putting the ‘precautionary theory’ into action is to implement all opinions; and proves that the religious jurisprudent becomes the ‘legal guardian’ if people accept him. Thus with intense affection for the people and ignoring his own legal right, the Imam while observing religious precautions in affair of leadership, grants a bigger role to the people and in this manner, based on principle of necessity, has the final say for one and all.<sup>3</sup>

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1. Ibid., vol. 11, p. 34.

2. By independence theory is meant the nominative guardianship.

3. Akhawan Kazemi, Bahram: *Precedence and Perpetuation of Theory of Absolute Guardianship of Religious Jurisprudence from Imam Khomeini’s Viewpoint*, pp. 138-39.

Likewise, the late Imam on the subject of absolute guardianship of religious jurisprudent considers this appointment as an investiture on behalf of God Almighty and the glorious Prophet (SA) and not by the people and democratic opinions although in the constitution and some of his speeches he has mentioned dependence and endorsement of government by the people's votes as well. In my opinion, these two statements are that we say his eminence has bestowed trust in people in administrative set-up based on his own divine authorities to the Muslim and generous people of Iran.<sup>1</sup>

And another is a precautionary theory in the field of guardianship of religious jurisprudent and has few followers which is that if we act upon this theory until the time Shiite, jurisprudence and guardianship remain, we have acted on all opinions which is that they say a religious jurisprudent whom the people accept as legal guardian is in fact the legal guardian; and he is not the legal guardian unless the people accept. This is a precautionary theory and not a scientific one meaning that if we undertake this task then we have acted upon all prescriptions.

I think that in the constitution (ratified in 1980) in order to have acted upon this precautionary theory - and of course, there is no harm and the national base will also be preserved - they have said that a person or a council whom the people have recognized its leadership takes over the position of leadership. Those who subscribe to leader and guardianship of religious jurisprudent believe in one of the two theories; or they say that whether the people vote for the religious jurisprudent or not, he is the legal guardian; or they say in case he is legal guardian that people vote for him and in any case the two theories have been acted upon and is the combination of these two theories - and this is the most flawless path from the practical aspect that

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1. Azari-Qomi, Ahmad: *Jurist Guardianship from the Viewpoint of Islamic Theologians and Jurists*, pp. 168-69.

has been mentioned in the constitution and inflicts no harm or damage anywhere.<sup>1</sup>

### One question!

In continuation of this discussion, we aim to answer the question that if at one time the majority of people become Muslims or while being Muslims cast a negative vote for the Islamic republic and do not want this system to continue, then what will be the duty of the Islamic government.

In reply, some have mentioned two solutions for the problem: one is that with coercion, by inflicting defeat and overwhelming we should maintain our hold and not recognize the vote of the majority because we regard ourselves to be rightfully empowered.

The second solution is that we accept although the truth is with the minority; but because the majority has not attained the maturity to understand this reality, we entrust the matter to them and begin a long-term cultural program so that once again we attain the majority status in society.<sup>2</sup>

Now we discuss the Imam's viewpoint on this subject:

“Whatever the majority say, their opinion is valid even if it is wrong and to their own detriment. You are not their guardian to tell them that this is to your detriment and we do not want to do this. You are not their attorney. ...you follow the path for which you are mandated - and that is the path of our nation - even if you believe that the path our nation has treaded is against its interest. Well, let it be. This is what the nation wants and it is none of your business. It wishes to go against its own interest. The nation has voted; the vote it has cast is binding.”<sup>3</sup>

“The nation has the right to pick up a regime; but the nation has no right to pick up a regime for future generations which

1. Sane'ei, Yusef: *Guardianship of Religious Jurisprudent*, pp. 30-1.

2. Mateen Research Journal: vol. 1, winter 1998, pp. 72-3.

3. *Sahifeh-ye Imam*, vol. 9, p. 304.



means that the today, all the destinies of the state must be in the hands of the people. People have the right to elect a person as a sovereign; as a president or any other title. This is right. The people have done this on their own accord. However, do people have the right to decide the fate of subsequent strata, for their children, their grandchildren right now? There is no such right for anybody. You yourself - on basis of human rights - must govern your own destinies; but you cannot interfere in the fate of another country; in the destinies of another nation; in the destinies of those that are yet to come. You have no right.”<sup>1</sup>  
“The foremost right of every person, every population and every society is to choose for itself a thing that is concerned with the fate of its own country.”<sup>2</sup>

As is noted, the Imam in response to this question apparently believes in the second theory; and certainly, does not subscribe to any sort of imposition and compulsion in the field of government over the people.

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### Third Chapter: People's supervision

The third role that Imam Khomeini has envisaged for the people is their supervision over the government. This supervision, which is broad and wide-ranging, can be exercised in two ways - direct and indirect.

It is necessary to mention that by direct supervision on this subject is meant supervision without intermediary that the people are able to perform directly; while indirect supervision is concerned with those instances that are performed through legal and governmental channels.

#### A) Direct Supervision

1. Direct supervision over the top of the power hierarchy:<sup>3</sup>

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1. Ibid., vol. 6, pp. 197-98.

2. Ibid., vol. 4, p. 492.

3. Because of the importance of presentation of this form of supervision in



“Every individual of the nation has the right to impeach the ruler of Muslims directly in front of others and to criticize him; (in response) he must give a convincing answer otherwise, if he has acted against his Islamic duties - automatically - he is ousted from his authority as ruler and there are other criteria to resolve this problem.”<sup>1</sup>

“If a person who in people’s view is very lowly, if he sees a corruption from an individual who in people’s view is of high esteem, he should come and confront him and tell him in his face - Islam has asked us to tell him not to do so - that his action is immoral and he should desist from it. It is said that Omar - when he was the caliph - that if he committed a wrong, they should tell him so and for example, what he should do. One Arab person unsheathed his sword and told him that they would confront him with it. If he wanted to commit a wrong, they would confront him with the sword.”

“It is Islamic training not to show consideration towards any person when executing the commandments of God and in relation to launching Islamic movements. This person is men, this person is not a gentleman; this is a father, this person is the son; this one is a chief, this one is a subject - these issues must not be considered at all. The question should be whether this person is acting in the tradition of Islam or not. If he is acting in the tradition of Islam, then whoever he is, he must be thanked, encouraged and shown kindness. If it is against Islam, then whoever that person is, be he a prominent cleric, a person who for example is at the top, a leader, when he commits an act against the direction, then each individual has a duty to tell him that it is wrong and to prevent him.”<sup>2</sup>

“God knows that personally, I consider not an iota of immunity and right and privilege for myself. If I commit a wrong, I am prepared to be called to account.”<sup>3</sup>

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Islamic supervision, Imam Khomeini has mentioned it in a prominent and distinct form.

1. *Sahifeh-ye Imam*, vol. 5, p. 409.

2. *Ibid.*, vol. 10, p. 110.

3. *Ibid.*, vol. 21, p. 282.

"Everybody must observe everybody else. Even my responsibility is on your shoulders; yours too is on my shoulders. If I take a wrong step, you have a duty to tell me; if you don't tell me why I put a wrong foot, you are responsible; you must charge me, forbid me that why you are doing such a thing?"<sup>1</sup>

2. Direct supervision of people over rest of government organizations

"The nation has a duty to protest vociferously in this matter; to mention the subject calmly; to protest to the legislative assembly; to protest to the government that why it has done such a thing? Why has it sold them? Weren't they its subjects?"<sup>2</sup>

"...our entire country and our entire nation should participate in the affairs and themselves be the supervisors so that if a person veers off Islam and veers off the laws of Islam, they should disgrace him and dismiss him."

"A president that wants to rule like a monarch over the country, the people themselves must prevent him. A legislature that wants to flex its muscle and do the things that was done formerly in the legislative assembly - the people themselves must prevent them."<sup>4</sup>

"We have a responsibility to God and to our conscience; and we must all be observant; to be observant of ourselves; I must take you into consideration; and each one of you too must take all into consideration. It is such a program that has enabled everybody to question everybody else; that obliges every individual to enjoin what is good."<sup>5</sup>

"It is a characteristic feature of Islam and is a characteristic feature of an Islamic country and the Islamic republics that people themselves participate actively and supervise the affairs

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1. Ibid., vol. 8, p. 487.  
2. Ibid., vol. 1, p. 433.  
3. Ibid., vol. 14, p. 285.  
4. Ibid., vol. 16, p. 23.  
5. Ibid., vol. 10, p. 110.

themselves.”<sup>1</sup>

“If we didn’t have any advantage from this Islamic Republic except the active participation of all strata of the nation and supervision by all strata of all affairs - this by itself is a miracle that I don’t think has taken place anywhere else.”<sup>2</sup>

## B) Indirect Supervision

“All constituents of the country must supervise the affairs so that the satanic forces cannot infiltrate. Individuals that make visits regularly to government offices, they must supervise their jobs like position of inspection and security and such things so that if they commit a mistake, a premeditated wrong or a treason, they inform the judicial apparatus so that they are prosecuted.

All the miseries that have befallen in these years are because the government bodies acted autonomously... this must end... everywhere that an employee, employees of government offices, the government, or a member of cabinet accept a responsibility, people have a duty to supervise them. Those that seek recourse to them in order to for example, resolve their problems, have detainees in the police stations, go to the police stations, go to the military barracks, or the courts of law and so forth, they must themselves supervise what is going on. They have a duty, if they want their country to reform, they have a duty to inform about things that have taken place and were wrong to places that have been established for this purpose so that they are put on trial.”<sup>3</sup>

At the end of this chapter, we note that the supervision which the Imam spoke about is an all-embracing supervision that not only the entire nation is capable of performing even at the highest administrative levels; Rather, it is become an unavoidable duty for preserving and ensuring survival of the

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1. Ibid., vol. 14, p. 267.

2. Ibid., p. 133.

3. Ibid., vol. 5, pp. 525-26.

government that rests on their shoulders.

People's supervision from the Imam's viewpoint, is the main factor of controlling and curbing power in Islamic rule; and it is because of this factor that relations between the leader and nation in Islamic government is never transformed in to a ruler and subject relationship.

Thus, people's supervision at such an extensive level can reckoned as a prominent advantage of administrative system of Islam.

#### **Fourth Chapter: Supporting the political system**

The question of people's backing and support of the government according to the Imam is among the fundamental and critical duties of the nation, which the Imam had repeatedly summoned, people to it. In this chapter, we will aim to describe the supportive role of the people in Islamic system and explain the implications of inattention to it in the words of Imam Khomeini:

“Today it is a nation among who are a group of civil servants who have accepted the responsibility of managing the affairs of the country and defending it with the will of the people - and the nation considers itself responsible to support them. As in the course of the victory of the Islamic Revolution throughout the beloved country, women and men, young and old, had a share in solving the problems of the government and the military; and had sympathy for them and were coordinated with them; and in the Imposed War whether on the frontline or behind the warfronts the entire nation shared in defending the country; and the will of such a nation is decisive in the destiny of the country and in war and peace.”<sup>1</sup>

“The nation must with all its strength resist the plots and smash the conspiracies; it should identify these criminals with total revolutionary caution and introduce them to the revolutionary

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1. Ibid., vol. 14, p. 252.

courts...

The hands of criminals must be cut off from Islamic states and the oppressed people; the Divine promise shall be actualized with the courage of the strata of Islamic nations.”<sup>1</sup>

“Islam calls upon all people to be considerate towards one another; all of us are responsible and all must be considerate... of the entire nation; and all of us must belong to the army of Islam and be of the group of helpers...

One of the assistances that the nation can provide is to lessen its criticisms... this is not the time to criticize.”<sup>2</sup>

“You must support this government so that it can perform the tasks entrusted to it in a free environment; in the right environment.

Inquisitive people around wish to weaken the government by various pretexts; they must know that a government that is based on the nation will not be weakened. This government has been appointed by one who is based on the nation; this government has been approved and appointed by the nation; with the backing of the nation. You must offer more support to it. And the begrudging who are the agents of foreigners and want to prevent the establishment of the Islamic government, the Islamic republic, you must banish them from your society or offer them advice.”<sup>3</sup>

“The government cannot perform all the tasks; you too must offer support - to the army, to the gendarmerie as well as the security and police forces - and must unite to put a stop to the corrupters.”<sup>4</sup>

“It is only with the establishment of a government of Islamic justice endorsed and supported by the people and with the active participation of the entire nation that the enormous cultural, economic and agricultural devastations that the corrupt regime created can be compensated; and the renovation of the country begin in favor of the hardworking and oppressed

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1. Ibid., vol. 7, p. 495.

2. Ibid., p. 506.

3. Ibid., vol. 6, p. 352.

4. Ibid., p. 529.

strata.”<sup>1</sup>

“Awareness of the people and their participation, supervision and cooperation with their elected government will itself be the biggest guarantor of preservation of security in society.”<sup>2</sup>

“Now we are involved in such a war; the nation must be able to withstand the necessity to combat the big powers and to cooperate with the government and not to pay attention to the propaganda of deviant elements in order to attain the final victory...

I humbly call upon the beloved nation to continue their support for the armed forces; and with their unstinted support, safeguard their beloved Islamic country from eternal harm. I also emphatically request them to continue with their brotherly and sisterly support of the war refugees who have lost their beloved and their homes with the invasion of the infidels meaning Iraq and not give them a chance feel the bitterness of homelessness. Blessings of God be on you worthy sisters and brothers who with your great courage provided support in the Imposed War as well as were faithful companions of war refugees. Of course the government also endeavored and is working hard in this humanitarian affair but the nation's support will boost the morale of the armed forces and the government.”<sup>3</sup>

“You are the army of Islam and the Qur'an. The nation has a duty to accord you respect; the nation has a duty to support you.”<sup>4</sup>

“Our nation is on friendly terms with its government and with all governmental organizations; and neither the governmental organizations wish to dominate the nation and assert themselves, nor the nation aims to do something against the government that negates its good deeds. All are united; and God willing, all with unity shall move this country forward and not allow the powers that are lying in ambush and their residual

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1. Ibid., vol. 5, p. 427.

2. Ibid., vol. 4, p. 248

3. Ibid., vol. 14, pp. 216-19.

4. Ibid., vol. 6, p. 526.

elements that are present among our people, the nation won't allow them to do anything.”<sup>1</sup>

“With the backing of this nation, I will appoint a government! Because this nation accepts me... this man who is not accepted even by his own self... you are unlawful! The government that we want is a government that relies on the nation's votes.”<sup>2</sup>

### **Results of lack of popular support of the government**

In continuation of this chapter, we aim to mention the importance of popular support of the government in an Islamic political system in Imam Khomeini's words:

“If a government is a national government and a government is formed by the nation, because it belongs to them if it any time it ceases to exist, everybody become displeased if it ceases to exist; everybody are its supporters; but if the foundations of a regime do not rest on the shoulders of the nation, when it goes away, the streets are transformed in the manner that you witnessed... (refers to the celebrations and jubilations on the streets on January 6, 1979 after the Shah had fled from Iran).

When the power base of a government does not rest on the shoulders of the nation and the nation does not approve of it from its heart, however powerful it may be, it will not endure.”<sup>3</sup>

“...the nation can preserve these powers. If the nation backs this gathering, they can accomplish everything; and if at one time the nation becomes discontented, if they don't speak out today, they shall surely voice their protest a few days later; sometime later their protestations shall be heard. The day when the nation raises its voice, then no longer can a power challenge it.”<sup>4</sup>

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1. Ibid., vol. 14, p. 227.

2. Ibid., vol. 6, pp. 16-7.

3. Ibid., vol. 7, p. 510.

4. Ibid., p. 511.



“When a great power does not have a national base, this power cannot stand on its own two feet. If a power is not great but has a national base, it will have the upper hand. Try to build a national base for yourself... when you establish a base, God is pleased with you; the nation is pleased with you; the power will remain in your hands and the people will support you as well.”<sup>1</sup>

He further states that:

“If a person wants to do an injustice to you, the nation attacks him. In contrast, if people see that they are not with them, they are their enemies then if a thief comes to attack you, they will even take his side.”<sup>2</sup>

If this man had a base among the people; if he had used half his power to gain the consent of the people, this power would never have been shaken; he would never be opposed.”<sup>3</sup>

Therefore, from Imam Khomeini's point of view, people's support is critical; and any regime however powerful, but whose power does not rest on the shoulders of the nation is not enduring. Therefore, winning the support and hearts of the people is among the duties of the authorities and administrators of government in the Islamic order.

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1. Ibid., pp. 511-12.

2. Ibid., p. 512.

3. Ibid.

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## **Supervision over Political Power in Islam**

*Hujjat ul-Islam Mohammad Hussein Habibabadi*

Throughout history, power has always been out of control and broken barriers and inflicted serious and irreparable damages. To recount the crimes, injustices and tyrannies that have been perpetrated by self-centered and oppressive regimes is beyond the scope of this article although the relative awareness of people of the world of the concomitance of power and corruption in the present era is to such an extent that it removes the burden of extensive and prolonged discussions from the shoulders of ideologues. What the country is sorely in need of today is discussion and examination on the ways and means of controlling power from the viewpoint of Islam.

One of the ways of controlling power that the leaders of Islam and the intellectuals of the world have strongly emphasized is supervision of the performance of authorities and administrators of affairs. This article has attempted to explain the role of supervision in controlling power using the statements of Immaculate Imams (AS) and the words of wisdom of Imam Khomeini - that originate from the teachings of Islam.

In order to prevent the wrongdoings, mistakes and deviations of the officials and executives of society, Islam considers two types of supervision over their performance to be necessary:

*First Type:* A supervision that is exercised by the government and official organizations;

*Second Type:* A supervision that is performed by all people and each Muslim of the actions and behavior of the entire administrative setup. Here we discuss and examine each of them separately:

### **A) Supervision of the government over executives**

#### **Need for supervision**

Leaders of the community have a duty to select those persons for administration of the society and important political - social responsibilities who possess two attributes of trustworthiness and expertise at the required level and necessary faith and piety so that they do not betray people and society. They should not sacrifice the interests of society at the altar of their own personal interests and as far as possible; protect themselves from the dangers of seeking power and ambitiousness. They should possess sufficient expertise and specialization in order to perform the delegated responsibilities competently. Appointment of administrators and executives in Islam must be based on these two principles and not on basis of acquaintance and nepotism, friendship and family ties, factional and group affiliations etc... The Glorious Qur'an has on various instances pointed to this important subject. When the Children of Israel asked their Prophet to appoint a commander for them, their prophet on the Command of God introduced Saul to them. The Children of Israel were flabbergasted by this appointment because in their opinion, financial capability was one of the necessary conditions for being a commander and leader whereas Saul was poor and broke. Thus, they protested to their prophet and their objection together with the reply has been mentioned thus in the Qur'an:

“And their Prophet said unto them, ‘Verily God hath risen up for you Saul (to be) the king (over you).’ They said, ‘How can the kingdom be his over us, whereas we are more rightful for it than he while he is not gifted with abundance of wealth;’ he

said, 'Verily, God hath chosen him over you and hath increased him abundance in knowledge and physique; and verily, God grants His Kingdom to whoever He pleases; God is Omniscient and All-knowing.'<sup>1</sup>

When His Holiness the prophet Joseph proposed to the king of Egypt to appoint him to the treasury, his rational was that:

"Joseph told the king, 'Set me over the treasuries of the land; Verily I am a (faithful) keeper, knowing well (its management).'<sup>2</sup>

Prophet Shoaib's daughter who proposed employing Prophet Moses (SA) to her father reasoned as follows:

"Said one of the two (women): O, my father! Employ him; verily the best of those who thou can employ is the strong (man) and the trusted (one)".<sup>3</sup>

It is clear that trustworthiness or in other words justice of the officials also includes lack of ambition and seeking high positions because a just person is not ready to disregard people's interests because of his own ambition, or to commit an injustice to a person or to accept a position for which he lacks the required qualifications.

Nevertheless, the mission of society's leaders does not end with the appointment of expert and trustworthy executives; rather, after that, they have a heavier and more important responsibility of supervising their performance which if neglected brings about the corruption and destruction of the regime. This is because firstly, it is possible that society's leaders make a mistake in judging the trustworthiness and expertise of the executives and administrators and appoint persons that do not possess sufficient expertise and trustworthiness to succeed in their job because their judgment is

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1. Surat al-Baqarah: 247.

2. Surat Yusuf: 55.

3. Surat al-Qasas: 26.

based on superficial criteria and observations so that the probability of mistake and error is not written off altogether especially considering that there are materialist and self-interested individuals in society who can very cleverly and expertly make themselves to seem compatible and in harmony with every situation. In order to achieve material objectives and realization of their worldly aspirations, encircle the leadership community and with hypocrisy, deception and chicanery conceal their true intentions and present themselves to the leaders of society as the most trustworthy, pious, sincere and self-sacrificing individuals. In this way they attract their affection and interest such that the words of no sincere and benevolent individual can change the opinion of the society's leaders about them; and in this manner, they manage to occupy key positions and crucial responsibilities and show no mercy for the lives, properties, honor and dignity of vulnerable people.

Secondly, assuming the correct judgment of justice, faith and expertise of the executives, the probability of mistake and error in performance and actions is not something that can be ignored and overlooked especially as a human being is unaware of his mistakes and wrongdoings. Others who watch his actions and behavior are in a better position to become aware of his deficiencies and shortcomings, to assist him in progress and betterment of tasks, and to rid him of his deficiencies.

Thirdly, likelihood of deviation, blunder and treason of authorities always exists because assuming that their justice has been proven to be right, justice does not mean that in future, a just person will never deviate, err, sin or commit treason; rather, a person possessing justice means that he has not committed a treason in the past and not having committed treason in the past does not necessarily mean that it he won't commit it in the future. Justice simply reduces the likelihood of committing treason but it never reduces its probability to zero especially considering that corruption, revolt, decadence and arrogance is in the nature of power and ambition. There are many examples

of pious, competent and devoted persons being afflicted with selfishness, egotism, self-centeredness, oppression and various types of deviations after coming to power.

### **Supervision: Factor of reform of administrative structure**

Meticulous and continual supervision is a matter that plays a prominent role in reforming the managerial structure of the country; and without it, the administrative structure of society will not be reformed. If a human being feels he is under supervision of a superior and knows that his actions are not concealed from his superior; and that his good services will not go unrewarded while his misdeeds will not go unpunished, he will be more meticulous and careful in his tasks, the very thought of committing treason doesn't cross his mind and as a result of meticulousness and being careful in his job the number of mistakes he makes reduces drastically. In such a system, serving officials are encouraged to render greater service while treacherous persons do not find the chance to commit treason and those with lesser work potential are transferred to other departments. Conversely, if there is no strong, meticulous and calculated supervision of actions of managers of society; and the managers after being appointed to a post are free to do as they wish and no distinction is made between sincere civil servants and traitors, in this case the amount of treason, mistake and wrongdoing increases, the sincere employees become disheartened and after sometime, the spirit of indifference takes over and the administrative apparatus is drawn towards corruption.

In neither a regime in which no distinction is made between sincere civil servants and traitors, the services of the sincere employees are recognized and rewarded nor the treason of the traitor is punished. Gradually hardworking, conscientious and concerned individuals become lackluster in their job; their motivation to serve weakens and they resort to treason or at

least lose their enthusiasm and interest to serve while exploitative and materialist individuals are encouraged to commit treason and work less hard. In his letter of agreement with his governor Malek Ashtar, His Holiness Hazrat Ali (AS) states thus:

“Never must the good and the bad enjoy the same standing in your presence for this is the source of disillusionment of the good and addiction of the bad to wrongdoing. Seat each person in the same place that he chooses for himself.”<sup>1</sup>

In yet another part of the covenant, His Holiness states:

“You must appoint inspectors who are well-known among the people for their trustworthiness and truthfulness so that they report to you the services of the civil servants and that they know that their hard work is not concealed from you. Then recognize the services rendered by any person well and do not account for the hard work done by one person in favor of another person and do not reduce its worth. Express appreciation to each person to the extent of his activity. Take care lest nobility and greatness of a person cause you to exaggerate his petty services while the anonymity of a person causes you to belittle the great services rendered by him.”<sup>2</sup>

### **Necessity of supervising officials from viewpoint of Islam**

The principle of supervision of government officials and administrators is a principle that has been of special consideration to the Infallible Imams (AS) and divine leaders. Imam Reza (AS) is narrated to have stated that:

“Whenever the Honorable Prophet of Islam would dispatch

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1. *Nahj ul-Balagha*, Translated by Abd ul-Majid Ma’adikhah, Letter no. 53, p. 355.

2. Al Harani, Hasan Ibn-e Ali Ibn al-Hussein: *Tuhaf ul- ‘Uqul*, p. 134.



soldiers to a destination and appoint a commander over them, he would send a group of individuals whom he trusted along with the commander of that army in order that they would report his actions and behavior to His Holiness.”

The reason for this ‘Hadith’ quoted narrative about necessity of supervision, investigation and analyses of the actions of officials are quite evident and clear. One cannot say that this ‘Hadith’ recounts the actions of the Honorable Prophet of Islam (SA) and at most it is a permission because the style of the sentence reveals that this method was always adopted by the prophet (SA) and that the officials of an Islamic government are not permitted to contravene the permanent method and ways of the honorable prophet of Islam (SA) in management and administration of society.

In his, covenant to Malek Ashtar His Holiness Hazrat Ali (AS) states thus:

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“Thereafter by sending undercover, honest and faithful agents monitor their (officials) work because constant covert inspection causes them to be encouraged to be trustworthy and tolerant of their subordinates. Strictly monitor your aides and companions. If one of them commits treason and your undercover agents unanimously give such a report, content yourself with this amount of testimony and punish him with lashes; and punish him to the extent of the treason he has committed. Thereafter, place him in a position of disgrace and abasement; and place the sign of treason on him and hang the necklace of shame and slander round his neck.”<sup>1</sup>

### **Imam Khomeini and supervision of officials by the government**

In Islamic government, every official, within the jurisdiction of his responsibility and authority, is obligated to supervise all

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1. *Nahj ul-Balagha*, Letter no. 53.

bodies, offices and persons that are working in the jurisdiction of his responsibility; to identify the traitors and wrongdoers; to remove them from office; and to encourage dutiful and sincere individuals.

Imam Khomeini has this to say about supervision of government constituents:

“All constituents of government must supervise the affairs so that the demons cannot infiltrate again. In government offices, persons who pay regular visits must their work meaning like the post of inspection and investigation and these sorts of things so that if they commit a blunder or treason deliberately, they inform the judiciary apparatus to follow up their case.”<sup>1</sup>

In another instance His eminence states:

“You gentlemen who are in the country must pursue the cases of individuals that have entered the government organizations, the judiciary, in land distribution, in Construction Jihad from these deviant factions. In all of these, appoint committed, knowledgeable and impartial individuals so that they pursue the matter and report them to you and you take steps to straighten things. If we sit here idly, and allow anything to happen anywhere; allow every individual to do whatever he wants and we pay no attention to it, later on this will wreak havoc. You must sit and do things yourself.”<sup>2</sup>

According to Imam Khomeini, corruption and irregularity are akin to infectious disease, which if not countered quickly and prevented, infects all organizations and offices so that a time comes, when corruption, bribery, treason etc... takes over the entire government. That great personality had stated that:

“You have a duty... the banks have a duty, the Islamic associations have a duty, the Islamic republic and the Islamic Republic Party have a duty and the government and all have a

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1. *Sahifeh-ye Imam*, vol. 5, p. 525.

2. *Ibid.*, vol. 13, p. 437.

duty not to permit a single case of corruption to occur; to pursue that one single case if it does occur and to eliminate that one single case so that it does not spread lest the republic be corrupted or at least becomes ill-reputed in the world.”<sup>1</sup>

In another instance, he states:

“If God forbid there is a mistake and it is not prevented, then too it is likely to spread. It is also possible that certain individuals have god forbid, entered your ranks and want to do certain things.”<sup>2</sup>

About the need for supervision and diligence in the judiciary, the founder of the Islamic Republic states:

“We cannot see a country that claims to be an Islamic republic and its judge, about whom so much is detailed in religion, sets a city on fire and we remain silent; or for example, a prosecutor somewhere has decreed something that is contrary to religion, should we again sit back and keep quiet. From now on, silence has absolutely no meaning. The gentlemen must seriously establish a tribunal in order to attend to offenders, offending judges and others wherever they are and are offenders; and after the offence of the offenders is established, those in authority must immediately appoint somebody in their place within a maximum of three days. If they procrastinate the matter without an excuse too and not want to do the job, then you gentlemen yourselves - this committee that has been established for this purpose - and are authorized to appoint independently must not procrastinate in any affair.”<sup>3</sup>

Provincial governors of every province have a duty to supervise government bodies and offices of their respective province and to prevent offences and treasons from occurring. Imam Khomeini states thus:

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1. Ibid., vol. 16, p. 173.

2. Ibid., p. 229.

3. Ibid., vol. 17, p. 195.

“Provincial governments are responsible to monitor all individuals under their jurisdiction. All these individuals must serve, they are civil servants. The provincial governors are civil servants. Their services are superior and their responsibility is higher as well.”<sup>1</sup>

In the Islamic Republic, every minister is responsible for his own ministry to prevent occurrence of crime, treason, bribe, lethargy etc... and the president is responsible for supervision of performance, behavior and approach with people of all ministers and ministries and to prevent transgressions. Imam Khomeini states:

“And finally, the government must perform full supervision; and all ministries are to be filled with right and correct appointees; and *modus operandi* must be a correct one.”<sup>2</sup>

The assembly in the Islamic republic must supervise all government organizations and bodies. If one of the organizations neglects to perform its duties or a transgression remains hidden from view of the authority, the members of parliament must notify it, interrogate and finally call to question. Imam Khomeini states thus:

“Today the assembly became official. With the official status of the legislative assembly, the assembly must reform all the affairs. This means that with full authority; the government that it sponsors must be a hundred percent Islamic one that is empowered; and the tasks that the government undertakes and likewise, the tasks that are undertaken in ministries; tasks that are undertaken in the provinces must all be monitored and the legislative assembly must call them to account. They should ask them to appear and call them to question...”

“We have no ties of kinship with anybody; we obey Islam and want to put the laws of Islam into effect. If in a ministry, if in a

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1. Ibid., vol. 16, p. 413.

2. Ibid., vol. 6, p. 397.

place, the laws of Islam are not to take effect, we will close the doors of the ministry. Of what use to us is a ministry that is harmful for Islam, for the Islamic government...”

“The thinking of an legislative assembly must be Islamic so that we can do what we need to. I cannot tolerate that we sacrifice so many of our youth because we are being negligent. Negligence must be eliminated; and now that the legislature has been established and the assembly has gained official status, all affairs must with the supervision of the legislative assembly proceed normally and with seriousness, decisiveness and without procrastination. Whoever commits a transgression, he should be summoned and if he has really committed an offence, he should be handed over to the courts of law and the courts should prosecute him.”<sup>1</sup>

### **Supervision of the officials by the leadership**

It is natural that within the jurisdiction of his power and authority, each person is responsible and answerable for all tasks that are performed in the area of his responsibility. Therefore, if in the field of power and responsibility of one of the officials of society because of absence of enough supervision and vigilance a person is tainted with treason, his superior will be a partner in his crime and is not absolved in the Court of God because he has been negligent in his responsibility. This norm is not attributed exclusively to a particular rank and position and embraces all responsibilities. Based on this premise, just as in a guardianship society, legitimacy of all positions of responsibility reverts to the guardian jurisprudent and leader, the responsibility of all injustices and treasons that occur in an Islamic state also lies with the guardian jurisprudent and he must be answerable at the Court of God and to the people unless the leader has supervised and monitored the actions and work of the managers of society

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1. Ibid., vol. 13, pp. 49-50.

in a thorough and meticulous fashion. In this case, about the tasks that are performed with proper supervision and are not preventable by means of monitoring, he is excused. The Great Prophet of Islam (SA) had stated that:

“Know that all of you are guards, vigilantes and managers and each of you is responsible for his own subject and group. A ruler who governs the people is a guard and vigilante and he is responsible for his nation and society. Man is a guard and vigilante of his family and is responsible for them; and a woman is a guard and vigilante of her husband’s household and his children and is responsible for them.”

The above narrated tradition clearly proves that each person is responsible in his own field of responsibility and must be answerable for any deed that takes place in his field of responsibility; and he must be answerable for any negligence in that area whether negligence in selection of managers or whether in supervision of their performance. In yet another narrated ‘Hadith’ tradition, the prophet of Islam (SA) states:

“Verily God will interrogate every manager and vigilante about his subordinate that whether he has protected them or corrupted them. He will even ask the man about his family.”

In a letter, that he wrote to Ibn-e Abbas, Hadrat Ali (‘a) states:

“O, Abul Abbas, God bless you! Be careful about the good and evil things that issues out of your hand and tongue because both of us are partners in them.”

In a conversation that he had with Usman, His Holiness said to him:

“Will you not restrain the foolish of the Umayyad tribe from violating the lives, properties and honor of Muslims?! I swear on God, if one of your administrators commits an injustice and oppression in a place where the sun sets, the sin of it will be divided between the two of you.”

Similarly, in his letter to Malek Ashtar, His Holiness states:

“Place at the head of each one of your tasks such a supervisor who is not overwhelmed by the enormity of the task and who is not distressed by the magnitude of the job; and every deficiency and flaw in the work of your managers that you claim to be unaware of, will get the better of you.”<sup>1</sup>

When Moghairah proposed to His Holiness Hazrat Ali that he allow Muawaiyyah to remain in his position for a period so that the tasks revert to their normal routine, His Holiness Imam Ali (AS) states:

“O Moghairah! Do you guarantee that I will be alive until his dismissal and removal from office?”<sup>2</sup>

When Moghairah replied in the negative, Imam Ali (AS) stated:

“God will never reproach me for his appointment” (I will never employ him in any position)

Yasser Khadem while quoting from a reliable and detailed narrated tradition says: “One day Ma’moun (the Abbasid caliph) came in the presence of Imam Reza (AS) with a detailed letter in which news of the conquest of Kabul was reported to him and read out the letter for the Imam (AS). After Mamoun had finished reading out the letter, the Imam (AS) stated:

“Does the conquest of a land of the lands of infidels make you happy?”

Ma’moun replied: “Isn’t it a joyous occasion?” To which the Imam stated:

“...fear God concerning the ‘Ummah’ nation of Mohammad (SA) and this task that God has entrusted you with its guardianship and regulation and has bestowed it exclusively on

1. *Nahj ul-Balagha*, Letter no. 53.

2. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 32, p. 368.

you. Verily, you have wasted and ruined the affairs of Muslims and entrusted it to others so that they decreed other than the decree of God... verily, with your presence the 'Mohajirs' (those who migrated with the Prophet of Islam) and 'Ansars' (those who assisted the Muslims in their migration) are done an injustice. Concerning the pious believers, no pact and ties of kinship is observed. For the oppressed opportunity passes in such a way that they get into trouble and are incapable of earning their livelihood (and meeting expenses of living) and they do not find any person to complain about their circumstance and (this situation) to reach your ears. Thus O ruler of the faithful, fear God in affairs concerning the Muslims... Don't you know that the guardian of the Muslims is like a pillar at the center of a tent so that any person who wants can hold it (it is accessible to all)."

Ma'moun said: "O my leader! What is your opinion?"

The Imam (a) stated:

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"My opinion is that you pull out of these cities and return to the land of your father and forefathers; and to focus on the affairs of Muslims and not leave them in the custody of others because God will question you about the guardianship and custody (and its responsibility) that he has bestowed on you."<sup>1</sup>

In this narrated tradition, the Imam reminds Ma'moun that the responsibility for all injustices he has perpetrated on the people lies squarely on the shoulders of the ruler and leader of society. He is responsible for the poverty and misery of the people in the area of his jurisdiction and lack of knowledge of affairs of society does not absolve him of his responsibility. Ruler and guardian of Muslims is obligated to make arrangements so that every individual can voice his grievances to him; and in case of need, have access to him. Meanwhile, this narrated tradition conveys the message that establishing government and

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1. Ibn-e Babouyeh, Abu Ja'far Mohammad Ibn-e 'Ali Ibn al-Hussein Sheikh Sadouq: *Ayoun Akhbar Al Ridha*, vol. 2, chapter 24, pp. 60-159.



expansion of its territory alone cannot be the cause of happiness and pride of society's leaders; rather, establishing a rule is honorable when by means of it injustice and corruption can be eliminated, welfare and comfort of Muslims established, poverty and misery eradicated - and in a single word, justice is implemented in society.

In article one-hundred and seven of the constitution, it is mentioned that:

“The leader is elected by the experts on the subject of Islamic jurisprudence and all responsibilities arising from it shall be on his shoulders.”

Therefore, it is necessary for the leader to closely monitor the trend of affairs and performance of all administrators and officials; and whenever a transgression, mistake and negligence in performing duties, deviation and treason occurs in one of the government organizations and machinery, and for any reason the relevant officials fail to take action, the leader is responsible to swiftly and decisively take steps to prevent it before the deviation spreads to other individuals and organizations and corrupts and destroys the regime.

If in an Islamic government one of the officials God forbid, shows inclination to dictatorship and egocentrism, the guardian jurisprudent must take action against him. On this, subject the Supreme Leader of the Islamic Revolution states:

“We want that the guardian jurisprudent to be present in order to prevent dictatorship; not permit the president to become a dictator; not permit the prime minister to become a dictator; not permit for example, the military to exercise dictatorship; not permit the head of the gendarmerie forces to become a dictator. Not that we want to establish a dictatorship; what does the Islamic jurisprudent want to do with a dictatorship!? A person who lives an ordinary life and does not want these issues, what does a dictatorship have for him? In Islam there is

no giving of orders.”<sup>1</sup>

In another instance, the founder of the Islamic Republic of Iran states:

“Guardianship is over the affairs so that the affairs do not divert from their normal channels. He should keep an eye on the legislative assembly; on the president lest he takes a wrong step. He should keep an eye on the prime minister lest he commits a transgression. He should watch all organizations, on the military lest it commits treason. We want to prevent dictatorship; we do not want dictatorship to exist; we want anti-dictatorship to exist. Guardianship of the Islamic jurisprudent is anti-dictatorship; it is not dictatorship.”<sup>2</sup>

If in the Islamic government, God forbid, the officials resort to embezzlement, accumulation of wealth, opulence, bureaucracy, wastage, misuse of position and power and misappropriation of public property, the guardian jurisprudent must take strong steps against them and not permit embezzlement, bribery, misappropriation of public property and hosting opulent banquets to become a habit and tradition in government organizations.

In Islamic rule, if God forbid, day by day the gap between strata increases day-by-day and social justice, which is the main aim of establishing rule in Islam, is consigned to memory, foremost the leader and guardian of jurisprudence must be held accountable and is responsible for its prevention.

On this subject, Imam Khomeini states:

“Guardianship of Islamic jurisprudent wants to prevent dictatorship; it does not want to exercise dictatorship... it wants to prevent thefts. If the president is approved by a qualified Islamic jurisprudent; by a person who knows what Islam is, who is sympathetic to Islam, he will not permit the

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1. *Sahifeh-ye Imam*, vol. 11, pp. 306-07.

2. *Ibid.*, vol. 10, p. 311.

president to commit a wrong.”<sup>1</sup>

In an Islamic government, the guardian of jurisprudence monitors the proper implementation of the law, does not allow any of the officials to violate the law, and takes strong action against offenders and renegades. Let us see what the Imam has to say on the subject:

“The qualified jurisprudent oversees the execution of the law; not that he wants to govern by himself; rather, he wants to prevent these regimes that after a short while revert to dictatorship and tyranny.”<sup>2</sup>

If any of the officials in the Islamic republic wants to commit an offence, the guardian jurisprudent thwarts him and this causes the regime to reform, nepotism and misappropriation to be done away with in society and the thought of treason not to cross the minds of the administrators. The great leader of the Revolution states thus on this subject:

“A person who from all aspects of ethics, piety, nationalism, knowledge and action has been proven for the nation; and the nation itself appoints him, he monitors in order that no treason is committed. The president that the nation itself appoints and God willing from now on they will appoint a trustworthy person; but nevertheless, for making doubly sure, an qualified Islamic jurisprudent who has spent his life in the service of Islam, is appointed in order to see what he is going to do; lest he commits a wrong. Our future president does not commit a wrong; but it is to make sure that he does not commit a wrong. The chiefs of our army and gendarmerie and these topmost ranking heads henceforth are not individuals that will commit treason; but in order to make sure, this qualified Islamic jurisprudent is placed as a monitor and so the qualified jurist monitors and the qualified jurist appropriates in sensitive

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1. Ibid., pp. 352-53.

2. Ibid., vol. 10, p. 353.

instances.”<sup>1</sup>

In brief, the guardian jurisprudent must reform all affairs of society; and must oversee the foreign contracts; thwart anti-freedom and repressive movements in society; prevent the injustices and cruelties that are done to defenseless and vulnerable persons in society; check the despotic and dictatorial actions of officials; put a stop to violation of rights of the deprived and downtrodden of society; prevent the officials from living an aristocratic and opulent lifestyle; avert misappropriation and wasteful expenditures from the treasury etc... in this regard, Imam Khomeini states:

“We want to put a stop to dictatorship; we want to put a stop to dictatorship with the article of the constitution that established the guardianship of religious jurisprudent. Those who were opposed to the constitution said that it would bring about a dictatorship. What dictatorship would it bring? Dictatorship is not created with something that the law has determined. Yes, it is possible that later a dictator will come on the scene. Whatever you do if a vicious dictator comes in power, he will do anything. However, an Islamic jurist does not become authoritarian. An Islamic jurist who has these attributes is just; it is a justice which is other than such a social justice; a justice that if he utters a single untruth removes him from justice; a justice that a single look at a stranger woman removes him from justice - such a person cannot commit a transgression. He wants to prevent these offences. This president may be a good person but it is not stipulated for him that he be just and the conditions that are stipulated for qualified Islamic jurist. It is possible that he may commit a wrong; he must thwart him, control him. If a military chief wants to commit an offence, he has the legal right to dismiss him, to remove him from his position... if such a clergyman has a role in government he will not permit the prime minister, the president to go wrong because he is empowered to prevent them from committing a

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1. Ibid., pp. 525-26.

violation. Whenever an injustice is to occur, he thwarts it. He will thwart a dictatorship. If it goes against freedom, he will thwart it. If a government wants to enter into an agreement with another government that causes this government to become dependent on that one, to be a colony of that one, to become an affiliate of that one, the clergyman jurist thwarts it. This is a principle that reforms the basis of a state. This is an honorable principle which if God willing, it is actualized it will reform all affairs of the nation.”<sup>1</sup>

His Holiness Hazrat Ali (AS) would perform the maximum amount of supervision and monitoring of his administrators. Those in the administration who would commit the least treason to the treasury of Muslims or were negligent in their duty or would demand privileges, incentives and ceremonies; and would be inclined towards a higher than average living standard, His Holiness would take such severe and decisive action against them that seldom would any person dare to commit treason. In Hazrat Ali's administration, Usman bin Hanif Ansari was severely reproached and derided by His Holiness (AS) for attending an opulent luncheon hosted by of one of his friends - the expenses of which were not budgeted from public treasury - that perhaps in other administrations the administrators would not be criticized so severely for committing big treasons. Whereas in administrations all their espionage efforts and attempts are used for identifying opponents of the government and countering them, but in Hazrat Ali's (AS) administration, in contrast with other governments, the entire espionage potential of the government of His Holiness (AS) - which possessed a very high potential - was directed towards monitoring the administrators and detecting treason, deviation, indolence, injustice, deviating from a normal lifestyle and resorting to a ceremonial and aristocratic lifestyle.

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1. Ibid., vol. 11, pp. 463-66.

With the help of his extremely powerful espionage system, the Imam (AS) would swiftly be informed of the misdeeds of his administrators from the remotest region of the vast Islamic state of those days; and after being informed of their misdeeds he would take swift and decisive action and take suitable steps against them. With regard to certain transgressions, he would be content with reproaching, warning, notifying, and offering guidance; whereas about some others, he would dismiss his administrator and executive and replace him with somebody else; while concerning the third group of offences, in addition to dismissal, he would prosecute and punish them.

In contrast with some governments who would not consider exposition of the treason of administrators to be beneficial for the administration and would try to conceal them, Imam Ali (AS) never attempted to conceal the misdeeds and treasons of his administrators from public view; rather, on the contrary, he would insist on exposing them. This style brought in its wake two advantages and results for the administration of His Holiness (AS):

*First*, it would result in the people becoming aware of the will and determination of the government to combat traitors and would add to the popularity of the government day by day.

*Second*, the administrators and companions of the Imam (AS) on witnessing the firm stand of His Holiness (AS) would dispel any thought of treason from their minds.

The excessive severity of the Imam (AS) about his companions and administrators caused a group whose faith was weaker to join Mu'awiyah but his matter did also not cause the Imam (AS) to review his method and to be a little more lenient and tolerant towards his companions.

### **Making use of people's evidences**

One of the most fundamental and critical factors that assists the government in monitoring the officials and prevention of their misdeeds and deviations is the use of people's evidences.

Although official monitoring is necessary for the state but it is not enough for reforming and checking corruptions arising from ambition and lust for power; because with regard to the excessive expanse of government and multiplicity of government bodies and organizations, this type of monitoring requires a vast control and large number of employees that makes the task of supervision to be confronted with administrative formalities and bureaucracy and reduces the speed and resolve of attending to offences. Moreover, the enormity of the task makes it possible for the government agents to collude with supervisors and inspectors so that in this regard many offences go unnoticed. In the Islamic state, in addition to official monitoring of administrators, news, information and reports communicated by people about the performance of officials, their lifestyle and interaction with people, their wrongdoings and deviations are used extensively. Without the active public involvement and participation, the expectation of reforming the affairs is misplaced. Hadrat Ali ('a) states:

“Subjects are not reformed except with reformation of custodians of affairs; and the custodians of affairs are not reformed except with resistance and steadfastness of the subjects.”<sup>1</sup>

Thus, the infallible leaders (AS) would strive to train Muslims to be truthful, resolute and analytical. Such a style in Islam causes the Islamic state to benefit from a meticulous, powerful, efficient, low cost and general supervisory apparatus that no intelligence and monitoring system can neither match and confront nor replace it. The Commander of the Faithful (AS) by keeping the political environment of society open and free and guaranteeing the security of critics and supporting people's freedom to criticize, speak out and question all officials

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1. *Nahj ul-Balaghah*: Sermon 216.

including even His Holiness (AS) and to tolerate all sorts of irascibility and protestation by people and to encourage them to intervene in affairs of society, had equipped his administration with such a meticulous and all-embracing monitoring system, that by means of it, the smallest misdeed, mistake and treason in the remotest part of society would not remain hidden from the sharp-sighted eyes of His Holiness (AS).

Hadrat Ali ('a) states categorically to the people that:

“If you notice that a civil servant performs an action that is against the truth and deviates from the path of truth, bring his complaint to me and reproach and chastise me for by doing so, I am more pleased and you are deserving of doing such a thing.”<sup>1</sup>

Similarly, while addressing the people of Basra, His Holiness states:

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“O people! I have appointed Abdullah Bin Abbas as your governor. Listen to him and obey him so long as he follows his God and His Prophet. However, if he commits a wrong in your midst or deviates from the path of truth, inform me so that I remove him from your administration. Verily, I am optimistic that I find him to be an immaculate, self-abstaining and pious individual; and I have not appointed him as your governor except because of having such an opinion of him. God bless us and you.”<sup>2</sup>

However, in order that people report corruptions, wrongdoings, mistakes, misuses, deficiencies and shortcomings to the officials, it is necessary that the Islamic state makes certain arrangements so that:

- a) People are able to make their views known to the leaders of society and officials in charge easily and without

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1. Tabari, Mohammad Ibn-e Harir: *Hyrcanian History*, vol. 3, p. 68.

2. Al-Mofid, Mohammad Ibn-e Mohammad Ibn-e No'man Sheikh: *Al-Jamal*, vol. 1, p. 420.



inconvenience.

- b) They have the assurance that their criticisms, proposals and statements will be addressed.
- c) They have the assurance that voicing their complaints does not make them vulnerable. Hazrat Ali (AS) states to Malek Ashtar that:

Set aside a part of your time for those who need to meet with you so that you receive them personally and be present at a general meeting with them. Thus, for the sake of the God that created you, be humble and do not permit your armed forces including defense and security forces to be present so that their spokesman speaks to you without fear and stammer and with perfect clarity for I heard from the Prophet of God (SA) repeatedly state that,

“No nation is cleansed of injustice in which the rights of the weak are not taken back from the powerful in an explicit and uninterrupted manner.”

“Furthermore, strive to tolerate their unawareness and harsh attitudes and their weakness of speech and prevent any stringency and violence towards them so that vis-à-vis that, god opens His compassionate embrace on you and be deserving of His reward. Whatever you give must be given with a smiling face while whatever thing you withhold must be with good disposition and apology.”<sup>1</sup>

It is clear that the affairs which the people need to discuss with the leaders and managers of society are affairs such as the injustice and oppressions that are perpetrated on them by the state and the officials; problems in life that they are faced with and whose outcome is the duty of the state; criticisms and protestations that they level at the officials and the administrators of society; pointing out the wrongdoings,

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1. *Nahj ul-Balaghah*, translated by Abd ul-Majid Ma'adikhah, letter no. 53, p. 362.

mistakes, deviations and treasons of the officials and authorities of the state; proposals concerning improving the situation and reporting some of the irregularities and deficiencies. In this order to Malek Ashtar, Imam Ali (AS) orders that he should observe whatever thing that causes visitors to feel confident and protects their security and emboldens and encourages them to speak out the truths more candidly. He warns him not to use methods by which they feel ill at ease to speak out boldly and brazenly in front of the leader and managers of society. In order that people are able to make their voices be easily heard to the officials and keep them informed of the state of affairs and to report these deviations and offences to them, in Islam the leader of the community has been ordered to remove all obstacles and agents between the people and officials; and every person can communicate with the community leaders without any toil and trouble.

The honorable Prophet of Islam (AS) devoted a part of his time for meeting with the people and resolving their problems.<sup>1</sup> Although in the period of Hazrat Ali's (AS) administration, people could easily meet the Imam (AS) and discuss their problems with him, nevertheless His Holiness (AS) had installed a box so that people could directly dispatch their letters to His Holiness (AS) without the presence of any intermediary.<sup>2</sup>

In a letter to Qatham Bin Abbas - the governor of Mecca - His Holiness (AS) states thus:

“Only your tongue should be your representative and spokesman with the people; and no curtain except your face should separate you from the people; no needy should under any circumstance be prevented from meeting with you and be barred behind closed doors for if the meetings and needs are rejected at the first moment of entry, it won't be praiseworthy

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 16, p. 150.

2. Ibn-e Abel Hadid: *Commentary on the Nahj ul-Balaghah*, vol. 17, p. 87.

to meet them subsequently.”<sup>1</sup>

In another part of his covenant with Malek Ashtar, the Commander of the Faithful (AS) states:

“But despite all these, do not remain out of sight of people for long being locked in the harem of politics for nonappearance of leaders among the nation is the source of lack of knowledge of the current affairs of the country; and non appearance in the midst of people breaks the people’s connection with what lies behind the curtain; and consequently, insignificant issues become significant in their sight and vice versa; beauties appear ugly and vice versa; and the truth and falsehood are mingled together. The truth is not other than the fact that the leader is no more than a human being; and the current affairs that others conceal from him, he is incapable of finding and understanding them; and there is no exclusive marking on the forehead of the truth by means of which truth and falsity can be recognized.”<sup>2</sup>

Imam Sadeq (AS) is quoted to have stated that:

“Any person who when he accepts responsibility of a task related to the people, should behave in a just manner with them; open his doors on them; remove the obstacles to his accessibility and reflect on the affairs of the people; he then merits that on the Day of Resurrection, God remove his fears and resides him in paradise.”<sup>3</sup>

Likewise, Hazrat Ali (AS) is quoted to have stated that:

“Any governor and custodian who conceals himself from the people and their needs, on the Day of Resurrection, God shall

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1. *Nahj ul-Balaghah*: Translated by Abd ul-Majid Ma’adikhah; Letter no. 67, p. 378.

2. Ibid: Letter no. 53, p. 363.

3. Al-Horr al-Ameli, Sheikh Mohammad: *Vasa’il al-Shi’ah*, vol. 12, chapter 46, vol. 7, p. 140.

not meet his needs.”<sup>1</sup>

The Honorable Prophet of Islam is quoted to have stated that:

“There is no leader and ruler who shuts his doors tight on the needy, the miserable and those persons who want him to solve their problems except that the Almighty and Glorious God will shut tight the gates of heaven on his tasks, on his poverty and misery.”

In this narrated tradition, by ‘administrators abstaining from hiding’ is that every person be able to be at ease and without intermediary while speaking to the officials and administrators of the community; and to have the assurance that they shall pay attention to them and will take necessary actions. Otherwise, they shall be a depiction of the phrase ‘administrators in hiding’; and they should be aware that on the Day of Resurrection, there would be a gap and obstacle between them and Divine Compassion.

There must be a place in the state where the cry of injustice of the oppressed is heard and the injustice done to them is addressed so that no person feels that all doors have been shut on him and that he has no recourse to seek justice and has no one except God to address his grievances to. The right of the oppressed must be restored from the oppressor forcefully, decisively and without any consideration whatsoever. If in a society, the oppressed see no refuge for themselves except God; and the oppressors, traitors and transgressors feel nothing restrains them, such a community according to the Great Prophet of Islam (SA) will not see the face of happiness and will never be reformed. If in a society the cries of the oppressed reaches nowhere, leaders of that society must know that on the Day of Resurrection, their cries will remain unanswered by the Merciful God.

Therefore, officials of every government department,

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 75, p. 345.

organization, directorate - general and ministry need to adopt a style so that people can air their complaints about the employees of that department to the department's superiors and by investigating the people's complaints, they become aware of the performance of their own staff so that they promote the dutiful and positive employees and punish the offending and treacherous individuals. According to Imam Khomeini, presence of an authority to investigate the people's grievances is necessary in every ministry and government department and results in gaining the consent of people. On this, subject his eminence states:

"It seems that if in every ministry on behalf of the president or let us say the prime minister there is a one or two or few individuals so that they report to them if in that department, in that ministry there are complaints against the staff of that ministry. This principle - essence of this task - is effective in ensuring that if the ministry decides to do something, it is not a wrongdoing... for example, a person goes to a government office and they don't do a good job for him, he sees that person... it is better that such a thing is done so that people also know that they recourse to an authority so that if in a government office there was a person - an anti-revolutionary - who wants to create trouble, there is an authority whom he can go to complain. This action by itself is effective in preventing certain problems."<sup>1</sup>

Imam Khomeini warns the officials that before corruption and wrongdoings spread throughout the administrative structure of the country and makes the people dissatisfied and pessimistic of the government, they should pay attention to the complaints and demands of the people and to combat administrative corruption, treason and wrongdoing in government. The founder of the Islamic Republic states:

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1. *Sahifeh-ye Imam*, vol. 19, p. 36.

“You yourselves must do the job and appoint competent, knowledgeable and impartial individuals to go to places where such things take place and look into the complaints of people. Open an office for complaints and investigate the complaints. See from where the complaints originate; is the complainant right or wrong? Who has suggested it to him? These must be investigated and people are made aware that such a system is at work that wants to cause disruption; and individuals that really cause disruption must be identified and introduced to persons that the gentlemen appoint so that they are punished.”

“If we now sit back while God forbid, many illegal acts are taking place in our country, it means that we have made the Islamic Republic a non-Islamic republic with our own hands. We want an Islamic republic meaning that the established commandments should be the commandments of Islam and not that in whichever part one lays his hands on there are complaints that offences are taking place; complaints that so and so judge has issued a wrong verdict. For example, so and so person wants to distribute land, goes, and distributes lands owned by people. He gives away orchards or they chop the trees. These need to be investigated. You are waiting for the people to suddenly raise their voice and say that none of the government, the legislative assembly, the courts of law and the committees and so forth that are there are Islamic - and to revolt against you.”<sup>1</sup>

Use of this method solves many of the people’s problems but nevertheless, instances remain in which the superior in a government department neglects to look into the performance of his staff or god forbid, himself commits treason. It is here that it becomes necessary for the community leaders to think of a strategy so that people can report deviations, treasons, injustice and cruelties of officials and administrators to them directly. Otherwise, they must know that consequences of ‘administrators going into hiding’ will affect them; and on the Day of Resurrection, they will be deprived of God’s compassion.

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1. Ibid., vol. 13, p. 438.

On numerous occasions, Imam Khomeini would appoint individuals and groups to look into people's complaints of government organizations in order to identify and punish the offenders.

Nowadays, when it is not possible to discuss people's problems with leaders of society in a face-to-face manner and in a cordial atmosphere without the presence of security police because of security concerns and multiplicity of occupations of officials, it is necessary that leaders of society invent new methods for this task so that people's complaints reach to them directly. As an example, leaders of society can adopt ways by which they receive letters written by people directly and inform the people about it so that hope is revived in people's hearts or with ensuring security of the owners of print media create an atmosphere whereby the mass media publish the grievances of people against the administrators and their treasons and deviations; and introduce them to the people after they come to know of their treasons and deviations so that:

*Firstly*, the people are encouraged to take careful note of the performance of officials and report the deviations and treasons; *Secondly*, officials and administrators don't dare to commit treason so that the administrative structure of the country is reformed.

In his covenant letter to Malek Ashtar, His Holiness Hazrat Ali (AS) states thus about administrators that commit treason:

“...thereafter, place him in a position of servility; tie the stigma of treason and the harness of shame and disgrace round his neck.”<sup>1</sup>

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1. *Nahj ul-Balaghah*: Translated by Abd ul-Majid Ma'adikhah; Letter no. 53, p. 359.

## **B) People and direct supervision of performance of officials**

### **People's participation guarantor of reform of administrations**

Implementation of most of the recommendations that have so far been stated for controlling power and prevention of corruptions of lust for power is the responsibility of government; and has no performance guarantee in the government set up. The only duty that people had in this connection was presentation of reports, information, and news to the government and its relevant organizations; while putting it into effect is among the duties of government as well.

To whatever extent those public bodies are strengthened in government and the responsibilities, power is distributed among various government bodies, and the principle of separation of powers, and timeframe of responsibilities are adhered to, the grounds for misuse of power decreases. Nevertheless, one must know that always centers of power incline towards misuse of power, disobedience of the law and domination of other centers of decision-making. Thus, there is likelihood of deviation and corruption of the government. Therefore, there must be a force that monitors it that is detached from the government body and at appropriate occasions prevent deviation of the government establishment by directing, guiding, warning, castigating etc...

Throughout history, the force that has resisted vis-à-vis the excesses, avarices, injustices and oppressions of tyrants and rulers was none other than the enormous force resulting from the knowledgeable, sagacious and permanent presence of the people on the political scene. With their awareness and presence on the political scene the people must show suitable reaction when witnessing any sort of deviation, breach of law, misuses of public treasury, encroachment and invasion of rights of citizens and not pass by them nonchalantly otherwise there is no guarantee that power will not be exploited.



**Islam and political participation of people in the community**

With total awareness of the innumerable effects and rewards that results from presence of people on the political stage of society in preventing injustice and corruption, Islam has not only acknowledged such a right for them, rather, it has made involvement on the social scene as one of the most important religious obligations for every Muslim. Those educated in the doctrine of Islam consider it obligatory and necessary to obtain awareness of the society's political currents in order to earn the consent of God and to take steps within their power and capability towards correcting deviations and thwarting the corrupt practices of the governments and leaders as otherwise they regard themselves to be sinners in the presence of God and deserving of his punishment and chastisement. With faith in the Almighty God and hope for His forgiveness and unlimited reward in the afterlife, Muslims show no fear in their struggle against social corruption and combating injustice and oppression of rulers and welcome the likely dangers and losses with open arms. By adopting the 'Doyen of Martyrs' as their role model for combating injustice and seeking reforms, the Shiites throughout history have always challenges injustice, oppression and aberrations of the state. The Islamic Revolution of Iran and establishment of the Islamic republic in our era is the product of the Shiite's spirit of combating injustice.

Now that this Revolution has triumphed at such a heavy price, it is the people's duty to add to their political awareness day by day; and with their knowledgeable, widespread and continuous political presence, not allow the enormous achievement of the martyrs to be laid waste.

**Promotion of Good and Prevention of Evil; public supervision of government**

One of the important duties of every Muslim is to enjoin good

and prevent evil. It is a religious obligation of every Muslim to strive to the extent of his ability, in making virtuous actions to govern society and in eradication of corruption and decadence. The glorious Qur'an states:

“Believing men and women are all friends of one another; they enjoin the masses to good deeds and prohibit them from ugly deeds...”<sup>1</sup>

In another verse its states:

“You (true Muslims) are the best nation that have risen (for reforming humanity) to exhort people to good deeds and to restrain them from evil deeds and to faith in God.”<sup>2</sup>

Promotion of God and prohibition of evil alongside faith in God has caused the Muslim nation to become a role model for all nations such that at the advent of Islam, the nation of Islam was transformed into an exemplary nation. If today as well alongside faith and belief in God, the Muslims act upon their critical duty of promotion of good and prevention of evil, the certainly they will be a role model for all people of the world; and it is here that other countries learn the principles of democracy from us.

Hadrat Ali (‘a) states thus:

“All worthy deeds - even Jihad in the cause of God - in comparison with promotion of good and prevention of evil are nothing except as a breath in relation to a sea of roaring waves; and it is worth knowing that promotion of good and prevention of evil has neither a role in advancing the hour of death nor an effect on reducing sustenance; and superior to all values is the cry of justice when coming face-to-face with a tyrannical ruler.”<sup>3</sup>

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1. Surat al-Tawbah: 71.

2. Surat Al-I Imran: 110.

3. *Nahj ul-Balaghah*, translated by Abd ul-Majid Ma’adikhah: Wisdom no. 374, p. 494.

In the same way that people have an obligation in minor and personal offences to promote good and prohibit wrong, they have such an obligation in relation to the officials and administrators as well; and there is no distinction made in the evidences of positive necessity of promotion of good between individual and social offences. Rather, in Islam the focus of promotion of good and prohibition of evil is directed at social crimes and corruptions and at government officials and executives and the infallible leaders (AS) laid the most emphasis on it. In his famous speech in Mena during the rule of Mu'awiyah, Imam Hussein (AS) after emphasizing promotion of good and prohibition of evil stresses its social dimension and combating the injustice and cruelty of rulers while drawing the attention of Islamic jurists and theologians to this crucial duty and heavy responsibility. Undoubtedly, during Imam Hussein's (AS) time, individual sins and wrongdoings were not too few; but what was of utmost importance to Imam Hussein (AS) in that crucial and exceptional circumstance was to combat the injustices and oppression of Yazid and his administrators.

It is naïve and superficial to think that we should close our eyes to major misappropriations of public treasury, luxurious living, embezzlement and wastage in government organizations and use all our energy, capability and effort to combat moral corruptions of the youth. It is naïveté for us to remain silent in relation to the class gap, which is increasing and deepening every day in our society and lack of implementation of social justice, which is the most important objective of the state in Islam and instead combat individual sins. Isn't it a fact that the root of all corruptions, decadences and disorders must be searched in corruption of the regime and officials. According to the great Prophet of Islam (S):

“Two groups of my nation when they reform cause my nation to reform and when they incline to corruption, my nation inclines to corruption.”

In answer to the query that who they were, he states: “Islamic jurisprudents (scholars) and rulers!”<sup>1</sup>

Didn't the Commander of the Faithful state that:

“The people have a greater resemblance to their rulers than to their fathers!”

So why is it that instead of reforming the government, we consume our efforts and capabilities to reform the individuals. Wouldn't Hazrat Ali (AS) show the maximum sensitivity about the corruption of his officials in misusing public treasury! Wouldn't Islam's leaders and rulers appoint inspectors and monitors for the offences and corruptions of officials and administrators while issue the decree of non-investigation and non-inspection of individual crimes and offences of Muslims! Concerning the government administrators, didn't Imam Ali (AS) himself order Malek Ashtar to appoint observers and to be strict while concerning the sins and offences of the people he states:

“The most distant and most despised of persons in your company must be those who seek most to find deficiencies of people because deficiencies appear in all people that the ruler is most deserving of putting a lid over them. Thus, you must never attempt to expose the deficiency that is hidden from your sight for your responsibility is only to remove the visible ugliness; and it is only God who decrees about that which is hidden from you. Thus, to the extent of your ability, you should cover-up the ugliness of people so that God covers up that which you like to remain hidden from people. Try to resolve people's hostility and eradicate the animosities from within you; and stay away from that which isn't clear to you; and do

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 75, p. 336.

not show haste in endorsing any statement for the gossip is a traitor even if he shows himself in the rank of the good-seekers.”<sup>1</sup>

About the personal sins, didn't the leader of the Infallible (AS) order to conceal and repentance and even forbade taking confession?

Prevention of wrongdoings, treasons of the powerful and prevention of social injustice and corruption is far more important and worthier than preventing individual vices because by reforming government, the society is reformed, the direction of society is turned towards reform; the Divine commandments and prescribed limits '*Hudoud*' are implemented; unbalanced, audacious and miscreant individuals won't dare to commit mischief and consequently, individual vices are reduced to the minimum. Imam Khomeini states thus on the need to prevent deviation of officials:

“The nation itself must not allow some individuals who have infiltrated in organizations to commit a wrong; to commit a religious offence; to commit a legal offence and to enjoin them to good and prohibit them from evil so that as recommended by the Exalted Truth that all people are losers except the pious believers who perform good deeds, who enjoin the truth and who enjoin patience.”

“Today we all have a duty; it is obligatory for all Muslims to promote good and prevent evil; to prevent vices is a religious duty of all Muslims. Exhorting to the truth which is to enjoin good and to prevent evil is compulsory for all Muslims.”<sup>2</sup>

In another instance, Imam Khomeini states:

“Endeavor to practice the precepts of Islam as well as urge others to practice them too. In the same way that every person

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1. *Nahj ul-Balaghah*: Translated by Abd ul-Majid Ma'adikhah, Letter 53, p. 354.

2. *Sahifeh-ye Imam*, vol. 13, p. 470.

as a duty to improve himself, he also has a duty to reform others. The principle of 'promotion of good and prevention of evil' is for reforming the society."<sup>1</sup>

### **People are responsible in relation to performance of others**

In the light of the teachings of Islam, Muslims consider themselves responsible and having the right in all events and incidents that take place in society. A Muslim cannot be indifferent to the actions and behavior of managers of society and administrators of the system and to overlook the treasons, mistakes and wrongdoings because he believes that silence in the face of treason and not dealing with abuse of people's rights is an injustice to them. Such a belief of Muslims will result in a continuous and general supervision of the performance of society's managers and officials. About people's supervision of the performance of officials, Imam Khomeini states thus:

"All must observe; all of you are 'observers'; all and all people are responsible. This means that just as a shepherd monitors a flock and takes them to pasture land and he must take them to good pastures and is responsible for taking them to good pastures and to good streams, he is responsible to the owners if he does not take them to pasture lands."

"All of us are in the same position; we are responsible in relation to God and in relation to our conscience - and we must all be observers. This means that we must observe ourselves; I must observe all of you; and each one of you observes all of us. It is some such program that provokes us to say 'why' to all; that has made it compulsory for every individual to practice 'promotion of good'. If an individual who is in people's view from a low strata sees a transgression from a person who in people's opinion hails from a superior strata, he must not - Islam has said that go and tell him not to do - stand in front of

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1. Ibid., vol. 10, p. 268.

him and tell him his action was an offense and he should not do it. It is said that Omar had said - when he was the caliph - that if he would commit a wrong he should be told for instance, what he should do. An Arab unsheathed his sword and told him that he would confront him with that sword. If he was to commit a transgression, he said he would confront him with that sword.”

“It is Islamic training that no consideration be shown to anyone when executing the commandments of God and when launching Islamic movements. This man is good, this man is not good; this one is a father; this one is the son; this one is a chief; this one is a subordinate - these issues must not be involved at all. The question should be asked whether it is in the tradition of Islam or not. Whoever he is, one must show appreciation for him, encourage him and be kind and affectionate towards him. If it is against Islam, whoever he is, even if he is a top-ranking cleric; a person who for example is a head, he is a leader, when they see that he is acting against the norm, then every individual has an obligation to tell him it is against the norm and not allow it to happen.”<sup>1</sup>

### **Promotion of good and prevention of evil is a common duty**

Based on Imam Khomeini's words, the principle of promotion of good and prevention of evil is not confined to particular and specific individuals; rather, it is the duty of every person to thwart a person of any position or standing who commits a wrong or deviation and not allow the deviation or mistake to spread to other places. Based on the verse of the glorious Qur'an that:

“And the believer men and the believer women are guardians are guardians to one another; they enjoin good and forbid evil...”<sup>2</sup>

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1. Ibid., pp. 109-110.

2. Surat al-Tawbah: 71.

In the same way that Islamic jurists are guardians of the people, each person must be the guardian of others, enjoin them to good deeds, and restrain them from committing undesirable ones. This guardianship is a right that the Exalted God grants to every Muslim and no one has the right to take it away from the Muslims.

In response to the question put forward by a journalist of an Italian newspaper that, "taking into consideration that every government concentrates the maximum power within itself, so how can an Islamic government exist without that concentration of power and the ruler and subject relationship", the founder of the Islamic Republic replied:

"Islam has determined certain criteria and limits for the relationship between government and ruler and the nation and has determined certain rights for each one over the other so that provided it is observed, such a relationship of a ruler and subject can never exist. Basically, administration and leadership in Islam is a Divine duty and obligation so that an individual in position of leadership and sovereignty apart from duties that are compulsory for all Muslims has a series of other heavy duties as well which he must perform. Leadership and administration in the hands of an individual or individuals is not means for superiority and honor vis-à-vis others so that he uses it to his own benefit by violating the rights of a nation. Each individual of a nation has the right to directly impeach the leader of Muslims in front of the rest of the nation and to criticize him; and he must give a convincing answer or otherwise, if he has acted against his Islamic duties - automatically - he is deposed from his position and there are other measures to resolve this problem."<sup>1</sup>

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1. *Sahifeh-ye Imam*, vol. 5, p. 409.



**Granting sanctity to officials - factor of inclination towards secularism**

The late martyr Mortada Motahhari who was the fruit of Imam Khomeini's life proposes that granting divine and 'above criticism' status to Islamic society's leaders is a factor of deviation of youth from Islam and their inclination towards secularism. His eminence states:

"It wasn't only the Christians in the west who promoted the idea of secularism. A group of Muslims strongly supported it as well - and that to enlightened intellectual Muslims! Why? Actually, these Muslims were distressed by another movement which was that in the Sunni world since they considered caliphs and sultans to be 'custodian of affairs' and regarded it compulsory from the aspect of religion to obey them, the correlation of religion and politics was in the form of religion being in the service of politics. Those who believed in the separation of religion from politics wanted such a distinction meaning that they wanted the Ottoman caliph or Egyptian ruler to be recognized purely as a worldly position and not a religious position and national and religious conscience. People should be free to criticize him and this was a correct statement. Correlation of religion and politics that the likes of Sayyed Jamaluddin spoke of did not imply - in the words of Kawakebi - political dictatorship give itself a religious sanctity; rather, on the contrary, it meant that Muslim masses consider intervention in their own political destiny to be an important and religious duty and responsibility. Correlation of politics and religion does not mean the dependency of religion on politics; rather it means the dependency of politics on religion. A group of Arab Muslims who defended secularism and the separation of religion from politics did not wish to deny the intervention of the masses in politics as a religious duty; they wanted to negate the religious and sectarian validity of political authorities... as we know correlating religion with politics in the aforesaid sense meaning considering the position of rulers to be divine is exclusive to the Sunni world and no such concept has existed in Shiite doctrine. The Shiite interpretation

of ‘custodian of affairs’ was never like the aforesaid form.”

As late Motahhari has pointed out, in Shiite culture the nature of theocracy is never on par with absolute and unswerving compliance with the ruler. In the light of the words and deeds of the infallible leaders (AS), the Shiite never places the fallible ruler in a position of superiority and being above criticism. Imam Ali (AS) states:

“Beware of three people in your religion... and a man whom God has bestowed power and he thinks that to obey him is to obey God while to oppose him is to oppose God and he lies because it is not acceptable to follow the creature with the aim of opposing God. It is not proper that the creature should like to oppose God. Thus, no obedience with the aim of disobeying God is right; and to obey a person who disobeys God is not acceptable. Verily, it is necessary to obey God and His Prophets (SA) and the custodians of affairs because God has commanded to obey His Prophet (SA) for he is infallible and sinless and does not command to commit vice. For this reason God has commanded to abide by the custodian of affairs for they are infallible, guiltless and do not bid you to disobey God.”<sup>1</sup>

### **Abandoning ‘Promotion of Good’ is Enmity with God**

In religious culture and sayings of the leaders of Islam, a person who is indifferent and shows no reaction in relation to treason, deviation, injustice, cruelty, tyranny and violation of rights of others and embezzlement of public treasury - in Islam, such a person is regarded as a weak believer whom God despises. The honorable prophet of Islam (SA) had stated:

“The Almighty and Glorious God despises a weak believer who has no religion.” He was asked who the weak believer that has no religion is. The Prophet (SA) replied: “The person who

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 75, p. 337.

does not prevent evil.”<sup>1</sup>

If Muslims are interested in preserving the Islamic Republic and the Islamic rule; and if they want the Islamic society to develop, attain excellence and dehisence day by day, it must at every moment keep an eye on the actions and behavior of officials and to seriously counteract any sign of deviation, transgression and mistake. Otherwise, gradually corruption will permeate in society and will corrupt and annihilate society. On this subject, we lend our ears to the words of Imam Khomeini, founder of the Islamic Republic:

“If we want Islam and if we want the glorious Qur'an to be implemented in this country and in other states; and if we want to have an Islamic government, then we must all urge the truth and enjoin the truth. All over the country, those that are serving in the ‘Komitehs’ (revolutionary bodies); those who are in the ‘Baseej’ (general mobilization) those who are in the courts of law and the Revolutionary Guards Corps, city police and all together should urge the truth. In addition, if God forbid a deviant element is found or infiltrates - some deviant and leftist or so-called leftist servants of the right, they must urge them not to act against the truth. When a country claims to be an Islamic republic and wants to create an Islamic republic, all the inhabitants of this country must practice the principle of ‘promotion of good and prevention of evil.’ They should get rid of the deviants themselves. If in a ‘Komiteh’ a wrongdoing occurs, the Komiteh itself and the people themselves must get rid of that miscreant.”<sup>2</sup>

There are a large number of speeches and emphasis by the founder of the Islamic Republic concerning promotion of good and prevention of evil. Here we point to some brief statements of the enlightening speeches of the beloved founder:

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1. Alhor al-Ameli, Sheikh Mohammad: *Vasa'il al-Shi'ah*, vol. 11, “chapter on promotion and prevention”, section 1, part 13, p. 397.
  2. *Sahifeh-ye Imam*, vol. 13, p. 469.

“The day you notice and they notice that there is deviation in the legislative assembly; deviation in the sense of greed for power and greed for wealth in the country, in the ministers, in the president, that day they should know that the signs of our defeat has become manifest. Right then they must thwart it.”<sup>1</sup>

“Awareness of the people and their participation, supervision and conformity with their elected government will itself be the biggest guarantee for safeguarding of security in society.”<sup>2</sup>

“Criticism is necessary for developing and reforming of affairs.”<sup>3</sup>

“There must be criticism; a society does not reform unless there is criticism... a human being is flawed from head to toe and these flaws must be mentioned and criticized in order to change society.”<sup>4</sup>

“You and me have a duty to promote good in all affairs related to the executive organizations.”<sup>5</sup>

“Gentlemen should take note that the entire nation has a duty to monitor these affairs. They should monitor if I put one foot aside; if I take a wrong step the nation has a duty to tell me that I have taken a crooked step; to tell me to beware; to control myself. The question is an important one. The entire nation has a duty to monitor all tasks that are now concerned with Islam.”<sup>6</sup>

### **Abandoning promotion of good and prohibition of evil is a factor for coming to power of undeserving individuals**

Inattention of Muslims with likely corruptions of those in power causes gradual corruption, deviation and treason to penetrate in all state organizations so that sympathetic, devoted, selfless and hardworking individuals are gradually removed from social and

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1. Ibid., vol. 16, p. 23.

2. Ibid., vol. 4, p. 248.

3. Ibid., vol. 14, p. 366

4. Ibid., p. 401.

5. Ibid., vol. 13, p. 470.

6. Ibid., vol. 8, p. 5.

political responsibilities while mischievous, opportunist, ambitious materialist and treacherous individuals to subjugate the people. In his last will to His Holiness Imam Hasan (AS) and Imam Hussein (AS), His Holiness Hadrat Ali (‘a) states:

“Do not abandon promotion of good and prevention of evil for if you do so, know that mischievous individuals will rule over you. It is then that you will pray but your prayers are not answered.”<sup>1</sup>

The fact that the Imam Ali (AS) states that abandoning promotion of good and prevention of evil causes miscreants to take control of important social responsibilities is a natural outcome of abandoning promotion of good and prevention of evil and is not a contractual sentence and punishment from Almighty God. This is because when a group commits an offence, injustice and treason and the people remain silent in relation to them and nobody raises the voice of protest, the opportunists and those who live for the day quickly grab the key posts in society and it is here that prayer and supplication alone have no impact as well because God’s tradition deems that each task be realized by means of its own particular tools and method. People must know that sincere, selfless, sympathetic and hardworking individuals cannot be appointed to positions of responsibility in society without the unqualified support of the people and that opportunist, ambitious and speculative individuals cannot be got rid of except with monitoring by the people. Thus if people seek to reform the government, they must continually and carefully monitor the performance of the officials and must not take their eyes off them even for a single moment. Injustice and corruption in government is like an infectious disease that if not treated timely infects other healthy individuals as well. The honorable Prophet of Islam (SA) states:

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1. *Nahj ul-Balaghah*, Letter no. 47.

“When people see an unjust person and do not catch hold of him (prevent him from committing injustice) it won’t be long before God’s punishment befalls all of them.”<sup>1</sup>

Perhaps by punishment of all of them is meant that silence in the face of the tyrant and doing nothing against him in this world causes injustice and tyranny to become endemic in society and brings in its wake Divine chastisement on the Day of Resurrection.

In yet another ‘Hadith’ narrated tradition, the beloved Prophet of Islam (SA) states:

“When you observe that my nation fears to tell the tyrant that, ‘you are a tyrant’, than verily, they shall be obliterated.”<sup>2</sup>

It means that a nation does not have the courage and audacity to resist the oppressors and traitors and dares not to speak out of fear of them, there is no hope for that nation. Such a nation is dead and is finished. According to the honorable Prophet (SA) until the time that a nation reacts in the face of injustice, corruption, deviation and treason and does not remain silent in the face of violation of the rights of the people and society, this nation is alive and day by day attains new levels of perfection, happiness and prosperity one after another; but a nation that is indifferent in the face of injustice and oppression and shuts its mouth out of fear of the rulers, such a nation is dead. In the same way, that passage of time decomposes the dead and lifeless corpse so that gradually the stench of decomposition fills the air in the same way with the passage of time, the stench of injustice, oppression, abuse and materialism governs the atmosphere of the dead society such that in such a society a person aspires to die. It is here that about the silence and indifference of the people of Kufa concerning the violation of a woman’s personal space an Islamic state, Hazrat Ali (AS) states

1. Mohammadi Reyshahri, Mohammad: *Mizan ul-Hikmah*; vol. 6, p. 265.

2. Ibid., p. 280.

thus: "If a person because of this incident dies of anguish, he is not to be blamed. It is for this reason that life became difficult for His Holiness and at every moment, he seeks death. Imam Khomeini introduces people's silence and lack of supervision of the affairs and performance of officials as factors of obliteration and corruption of society stating that:

"If we don't monitor; meaning if the nation does not monitor the affairs of government and the legislative body and everything and withdraws and entrusts it to them and get busy with their own chores, it may possibly lead to annihilation. We must monitor the affairs of the people; the nation must monitor the workings of the government; for example, affairs taking place in the legislature. To monitor is to pay careful attention to them."<sup>1</sup>

### **Promotion of good and prevention of evil is factor of development of society**

In the same way that silence of a nation, drags society to annihilation and corruption. It grants important responsibilities to mischievous elements and ambitious human beings who do anything to attain a position... promotion of good and prevention of evil enables the spirit of life and living to dominate society, grants security and calm to society, eradicates injustice and oppression from society and reforms the administrators of society. Imam Baqer (AS) states:

"Promotion of good and prevention of evil is the way of the prophets, the method of the virtuous and is a big obligatory duty by means of which other obligatory duties are established and secure ways, legal trade and professions, injustice and oppression is removed and the land develops. The rights of people are restored from the enemies and 'promotion' is

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1. *Sahifeh-ye Imam*, vol. 15, p. 17.

strengthened.”<sup>1</sup>

Most probably, ‘affair’ in the statement of the Imam (AS) means ‘government’ implying that one of the effects of promotion of good and prevention of evil is reformation of government. The effects that the Imam has stated from promotion of good and prevention of evil is the natural outcome and circumstantial implication of promotion of good and prevention of evil and not the contractual effect that God bestows as reward in this world to those who practice promotion of good and prevention of evil. Therefore, promotion of good and prevention of evil is the key to reforming government and to other tasks.

### **People’s monitoring of officials’ lifestyle**

One of the affairs which people must monitor meticulously and in case of observing any breach, they must fight seriously and strongly prevent it from spreading among the officials and leaders of society is the domination of culture of welfare, opulent lifestyle and luxurious living over the lives of officials.

In order to establish justice and rule of values in society, Islam’s leaders would appoint those persons who had perfect harmony with objectives of Islam from formation of government. Those great men never appointed self-seeking, ambitious and power-hungry persons for administration of society and social responsibilities. One of the sign of materialist and ambitious individuals is that their lifestyles changes noticeably before acceptance of responsibility and after it. After appointment to the posting and position of authority, they are no longer prepared to live as they did in the past. Ambitious and materialist persons are always thinking of making the maximum use of their position for worldly objectives and accumulation of

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1. Al-Horr al-Ameli, Sheikh Mohammad: *Vasail al-Shi’ah*, vol. 11, “Chapter on Promotion and Prevention”, chapter 6, p. 395.



wealth and property.

Of course, it is the duty of every Muslim to furnish to the extent of his ability the means for welfare and comfort of his family; and it is natural that those who for whatever reason, did not have the means available to them before acceptance of responsibility, improve their living conditions to a reasonable level. This amount of change in lifestyle must not be considered a reason for the individual to be considered as being materialistic; rather, by lack of change in the lifestyle of officials is meant is that they go beyond the conventional and average level and revert to luxury living, unnecessary formalities and boasting and not misuse their position and circumstance to undertake economic activities, obtaining various licenses, trade, export and import and setting up factories and companies. Such persons must never have a place in an Islamic government. If God forbid, such persons gain entry into social responsibilities and are able to get hold of one of the social responsibilities, in the second place it is the duty of the people to expose them and repeatedly remind of the need for their dismissal. After victory over the 'Nakeseen' violators and at the time of leaving Basra, Hazrat Ali (AS) points to the clothing and bag of money containing the expenses of his journey and tells the people of Basra that:

“O the people of Basra! Why are you criticizing me; and what thing are you calling me to account for? Swear to God, these clothes have been stitched by my wife! O the people of Basra! Why are you criticizing me and for what thing are you faulting me for? Swear to God! This amount of money I have earned from the sale of my cereals in Medina! If I take leave of you with anything more than what you see, verily, I am of the traitors to God.”<sup>1</sup>

In addition, His Holiness at the time of entering Kufa tells the

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1. *Nahj al-Sa'adah Fi Mustadrak Nahj ul-Balaghah*, vol. 1, p. 457.

people that:

“O the people of Kufa! If I depart from your presence with anything other than this horse, my belongings and my slave, then I am a traitor.”<sup>1</sup>

During the time, he was caliph, Hazrat Ali (AS) never built a building nor placed one mud brick on top of another.<sup>2</sup>

Shouldn't there be the least resemblance between our conditions of living who claim to be followers of Imam Ali's (AS) behavior with that of His Holiness?

Imam Khomeini states thus on this subject:

“In the Islamic Republic, leaders of people cannot accumulate wealth by exploiting their position; or consider any privilege for themselves in daily routine. They must observe Islamic criteria in society at all levels meticulously - and even safeguard it. They must precisely respect public opinion in all places. They must not accept any type of hegemony or interference of foreigners in the people's destiny.”<sup>3</sup>

The founder of the Islamic Republic considers the most important factor of preservation and survival of government to be middle-class and lower middle class individuals being given the key responsibilities of society. His eminence had stated that:

“Basically, continuation of a victory and continuation of a revolution is in an affair that seems to be at the top of all affairs; which is that government, the legislative assembly and those that are in the army and Revolutionary Guards and all of these be from the middle class and the lower middle class. The basis of control over countries and over our country occurred by others - affluent individuals and those who possessed vast amounts of capital or who had power to sustain them and their

1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 41, p. 137.

2. Ibn-e Asakar: *Tarjomah al-Imam 'Ali Ibn-e Abi Talib*, research by Mohammad Baqer Mahmoudi, vol. 3, p. 188.

3. *Sahifeh-ye Imam*, vol. 4, p. 266.

reputation. Unless and until the legislative assembly, the government organizations and all of these and the people are constituted from this middle class and lower middle class it is impossible for a big government, a great power to cause civil strife.”<sup>1</sup>

According to the founder of the Islamic Republic, ambition and materialism of officials and administrators of affairs is the principal factor of dependency of societies on foreigners. In continuation of his speech, Imam Khomeini concludes thus that in order to preserve the Islamic Republic it is necessary that people monitor and follow-up the living conditions of the officials meticulously so that if God forbid, they observe any changes in their living conditions and the officials incline towards luxury and opulent living, the nation should prevent them. In this manner, they would be able to safeguard the independence of the country against the foreigners. The beloved leader continues:

“The day when the nation sees any of you rolling over from the middle level to the affluent level and seek to become powerful or financially well off, people must take note and put such individuals who God forbid may possibly be found, in their own place. If the nation wants this victory to reach to its ultimate destination which is the aspiration of all, they must be careful of those who constitute the government; the one who is the president; the one who is the member of the legislative assembly so that they don’t climb up from the middle class to the upper class or in their own words, to the affluent class. Know that if the government is such and if the nation is such; and if the legislative assembly and the likes of these are in this manner, then if a powerful country launches an attack here, it will be confronted with a population of thirty million and will not be able to do so; then it won’t be able to find a powerful person and compel him to weaken the nation and plunder the

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1. Ibid., vol. 16, p. 19.

nation on their behalf - this is how history has been.”<sup>1</sup>

However, what the Imam stated was about the upper reaches of ambition and materialism that urges a human being to betray his country. However, one must know that deviation in ambitious human beings always starts from small and insignificant things; and it is these small and insignificant deviations which if they continue can God forbid lead to dangerous situations and causes the disintegration and corruption of society. It for this reason that the Infallible Imams (AS) would at times show a lot of sensitivity for issues that in our opinion are extremely minor and insignificant which might astonish and amaze some observers. Perhaps if we were not influenced by the spiritual personality of the Commander of the Faithful (AS) and wouldn't consider the actions and behavior of His Holiness as the yardstick for distinguishing truth from falsehood, we would regard the Imam's (AS) attitude towards Usman Bin Hanif - the great companion of the honorable prophet (SA) and a loyal companion of Hazrat Ali (AS) - to be harsh, violent and improper and would consider it to be the result of lack of proper understanding of the conditions and deep down would say that such an insignificant wrongdoing - it at all we could call it a wrongdoing - did not merit so much of severity, rebuke and criticism in that circumstances; or wouldn't regard blowing out the candle of the public treasury and lighting the personal lamp for the meeting with Talhah and Zubeir as being in keeping with the stature of the leader of Muslims. However when we look at it properly, we understand quite well that there is no other way excepting this one to deal with the deviant attitude of officials and those in power. Those that are careless and negligent vis-à-vis minor deviations of the powerful, must know that sooner or later, the minor and insignificant deviations and mistakes transform into a devastating flood and will

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1. Ibid., pp. 21-2.

exterminate the regime from its roots. If Hazrat Ali (AS) had not reacted as he did at the beginning of his rule with Usman Bin Hanif, attending opulent parties would have become a habit among His Holiness's administrators; and gradually opulent banquets would have been held with the money of the deprived and oppressed people and thereafter, embezzlement and windfall wealth and riches would show off themselves. If the government of His Holiness Hazrat Ali (AS) was not faced with the phenomenon of embezzlement and windfall wealth, its origins must be sought in His Holiness's letter to Usman Bin Hanif, in the refusal to use the lamp of the public treasury for personal affairs and his protest to the religious magistrate about purchase of a luxurious house etc...

In continuation of that speech, Imam Khomeini states:

“The day when you see and they see deviation - deviation in terms of hunger for power and hunger for wealth - in the legislative assembly; in the country and the ministers; in the president; know that on that day the signs of our vulnerability have become evident; right from then on it must be thwarted. A president who wants rule over the country must be prevented by the people themselves; a parliament that wants to display its power and do the things of the past and the individuals that were previously in the legislature do the things that they did in the past - the people themselves must check them. If people want to preserve Islam, to preserve the Islamic republic, to preserve the government, the legislative assembly, the president and these things they want to preserve; meaning preserve them from - God forbid - lest they take a wrong step.”<sup>1</sup>

In another of his speeches, the founder of the Islamic Republic states:

“Therefore you must ensure that your tomorrow and your today

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1. Ibid., p. 23.

are not different from one another... if you put a wrong foot forward, this thirteen million voters that voted for you toady will chant 'down with you...' tomorrow. This is how a revolution is, this is the circumstance of a revolution; it is such that people no longer surrender to someone unreservedly and comprehensively."<sup>1</sup>

In conclusion, from the viewpoint of Islam, each official must be answerable in relation to the affair that is within the scope of his jurisdiction. Thus they must monitor the actions and behaviors of all administrators who are working under them, meticulously and continually so that they can put a timely stop to their deviations and mistakes. In the midst of these, the responsibility of the leader of society is far more sensitive and greater than of other officials. It is he who must become the refuge and administrator of justice to the people for the injustice and oppression of government officials and administrators. It is he who must provide for the time when people despair of all government bodies and officials they appeal to him for justice and with his help, regain their right; it is he who must create such an atmosphere so that people express without having the least fear the weaknesses and drawbacks of the government.

Moreover, people also have a duty to monitor the performance of all officials and administrators of affairs; and with their criticisms and protestations, prevent corruption and deviation from spreading among the officials. Meanwhile, the ideologues and religious authorities have a heavier responsibility than orders. They must continually monitor affairs of society carefully and with their timely warnings and criticisms, prevent the deviation of the rulers and by doing this, safeguard and protect the government.

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1. Ibid., vol. 15, p. 72.

## **Political Freedom from Imam Khomeini's Viewpoint**

***Maqsoud Ranjbar***

Political freedom is the main yardstick of democratic societies and governments. Present circumstances of global societies and international order does not permit this important subject from being consigned to memory and to be neglected. Adopting a balanced policy in internal politics that can on one hand ensure the people's political freedom and at the same time does not jeopardize social values and national security finds greater urgency day by day. Adoption of such a policy depends on a number of basic variables so that the above objectives are realized.

The foremost point is that in the present social situation the officials understand the need to abide by people's political freedom and bear in mind that taking away political freedom is not only impossible, rather, it is neither desirable. This has been proven repeatedly from the historical aspect in our society.

The second point is to pay attention to this subject that abiding by (not granting) people's political freedom is in fact actualization of one of the principal characteristics of Islamic society and government, which was also one of the great objectives of the Islamic revolution.

The next point is that society's leaders have a positive perspective of political freedom and consider it useful for society. Historical cynicism that exists in our society in relation

to freedom is the root of many misunderstandings; whereas from certain aspects, if freedom is harmful for society, its absence (based on historical experience) will have far greater negative consequences. In general, a positive perspective of political freedom can assist society in optimum utilization of the free atmosphere.

The next point is to reach a clear consensus about the limits of freedom in society. Consensus about the meaning and limits of freedom is a difficult task; but achieving such a consensus is the main basis of a balanced policy in relation to political freedom.

The fact is that our society in some cases, the opponents of freedom are opposed to a thing with which even the supporters of freedom do not agree with; and this arises from lack of a clear framework in this field whose existence can to some extent reduce the misunderstandings and misinterpretations. Without doubt, this consensus will be a product of thinking and reflection about political freedom and its limits in society and it cannot be achieved without differences of opinions.

In this article, Imam Khomeini's point of view on political freedom will be examined and analyzed. Examination of the Imam's point of view in this sensitive field, is controversial and at the same time necessary because the Imam's ideas clarifies the principles governing the positions taken by the Islamic system.

### **A. Freedom from Imam Khomeini's point of view**

In general, Imam Khomeini considers granting of freedom to all individuals of society to be one of the outstanding characteristics of the Islamic Revolution:

“After our nation attained victory and we threw away the traitors and criminals and the nation threw them away, we opened the gates of compassion on our nation and on all strata... we acted with compassion, they were freed; the



borders were freed; the writings were freed; the political activities were freed; all was freed and we acted with compassion. In no revolution was there compassion like in our Revolution; and no revolution behaved with the people and with the traitors like our Revolution did - we kept everyone free.”<sup>1</sup>

We begin to examine the point of view of Imam Khomeini concerning political freedom with the Imam's view about the meaning of freedom. According to the Imam, the meaning of 'freedom' is quite clear and does not require definition:

“Freedom is not a subject that needs to be defined. People are free to express their opinion. Nobody compels them that 'you must hold this and that opinion'. Nobody compels you to definitely follow this path. Nobody compels you to elect this person. Nobody compels them that where to take up residence or what job to take up in there. Freedom is something very obvious.”<sup>2</sup>

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As is noted, instead of a definitive interpretation of freedom, the Imam mentions its applicability, which is quite important from the aspect of the meaning of 'negative freedom'. In these passages, the Imam emphasizes on immunity of individuals from external requirements that comprises of selection of faith, ways and means of living, housing and occupation. The important point here is that the Imam regards these applications of freedom such as freedom of belief to be an obvious affair that nobody has the right to coercion and imposition of a belief. In another instance, the Imam presents freedom as a Divine blessing and natural right of people and on this subject in response to the Shah who had said that, 'we have granted freedom to the people' had stated:

“What is this freedom that they have granted it? Is freedom something, which is awarded? This sentence itself is a crime.

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1. *Sahifeh-ye Imam*, vol. 9, p. 270.

2. *Ibid.*, vol. 10, pp. 94-5.

The phrase 'we have granted this freedom' is a crime. Freedom belongs to the people. The law has given freedom, god has given freedom to the people, Islam has given freedom and the constitution has given freedom to the people."<sup>1</sup>

Therefore, the Imam not only emphasizes the principal of freedom, rather, he points to the important implications of freedom including negative and positive freedoms. This overall judgment of the Imam in his view arises from Islam that:

"Islam both respects human rights as well as implements it. It does not usurp the right of any person; it does not take away the right to freedom of any person; nor does it allow any person to take charge and in the name of freedom, take away their right to freedom."<sup>2</sup>

What is of greater significance in the above statements is that mentioning the undertones is no reason for restricting them; rather, it is to show examples that exist in the heart of the meaning of freedom and that can include other instances that one cannot compel the people to accept or reject those and to impose a thing on them.

Now with regard to this introduction and taking into consideration the Imam's general point of view on freedom and that he accepts and emphasizes the principle of freedom, our main objective in this research is to explain the Imam's definition of freedom and its limits. In general, the Imam has placed the definition of freedom vis-à-vis a number of other negative meanings and has emphasized their dissimilarities with freedom. The Imam uses the term freedom opposite the definitions of 'unbridled freedom' and 'conspiracy' and criticizes 'western' and 'carnal' freedoms. Now the question is that what the Imam intends from these terms is threat to the principle of freedom or its contextual threat from the point of

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1. Ibid., vol. 3, p. 406.

2. Ibid., vol. 14, p. 69.

view of Islam. It seems that the intent of the Imam from the term threat to freedom is not in the sense that he interprets; rather, his statement is explanation of the concept of freedom in Islam and its distinction from other doctrines. In some cases, this conceptual threat has political aspect that according to the Imam this approach is dominant in all societies as well. When the Imam places freedom opposite conspiracy, he has more consideration for the political dimension. In some cases, this threat has a moral aspect as well. When the Imam uses freedom in relation to 'unbridled freedom', 'western' freedom and 'carnal' freedom, he pursues the objective that in Islamic society, moral principles are principles that in the name of freedom, one cannot absolve oneself from commitment to them. Therefore, the Imam is strongly opposed to the 'unbridled freedom' that he reckons as 'western' freedom. When we say that the Imam was in no way opposed to the principle of freedom whether from the political or moral aspect is based on his own opinion. The Imam considers the mission of the prophets to be the prevention of freedom in the unbridled sense of the term and granting of genuine freedom and opines that the prophets arrived in order to thwart this unbridled freedom as otherwise they weren't opposed to its principle; rather they would even enjoin it.

Now what is this genuine freedom? It appears that the main basis of the Imam's perspective of freedom is 'internal freedom' and liberation from the shackles of the carnal soul - and this is a very fundamental and critical issue. For the Imam 'internal freedom' in all circumstances takes precedence over external freedom. He desires external freedom as a basis for realization of 'internal freedom'. According to the Imam, this external basis is facilitated by the Islamic state because the Islamic state provides the means for salvation of society. It is here that freedom and conspiracy come face to face. No freedom can be an excuse for conspiracy to overthrow the Islamic state - a state that furnishes the external grounds of the

internal freedom of man. Likewise, freedom in relation to 'unbridled freedom' finds meaning in this context. The first and last objective of the Imam from freedom is inner freedom and liberation from worship of the carnal soul and the Islamic state furnishes the social basis of such an affair. Now how can the Islamic state recognize unbridled freedom in society? Such a freedom not only contradicts the principles Islamic ethics and religious tenets; rather, it is incompatible with the Imam's understanding of an Islamic state whose aim is material and spiritual prosperity and happiness of individuals. Therefore, the final stance of the Imam on the subject of 'freedom' like for his other subjects is a Divine stance so that freedom, which liberates man from the shackles of the carnal soul, is useful. Manifestations of external freedom (freedom of thought, speech, political parties, elections etc...) are recognized officially, but its ideological and practical boundaries extend to where they can be useful and effective in the path of realization of ultimate objectives (uprising for the cause of God).

Nevertheless doubts remain. Perhaps there is lesser doubt about freedom in the unbridled sense of the term, but about denial of freedom, there in the sense of conspiracy, there are many doubts as an action or activity (mental and practical) is regarded as conspiracy. The Imam has elucidated on this subject on various occasions. It appears that what the Imam meant by conspiracy and terrorism is crossing the limits of logic and rationality and resorting to violence and overthrow. For understanding this issue, one must take note of the chronological circumstance of the Imam's statement. This speech was delivered at the beginning of the Revolution when the 'Munafiqeen' (hypocrites) and leftists groups intended to overthrow the Islamic Republic of Iran system through armed revolt and the Imam interprets these actions to be conspiracy and terrorism as he states in one instance that:

"It is out of your frustration that you kill our intellectuals in the darkness of the night because you have no logic. If you had

logic, you would talk; you would discuss and debate. But you have no logic; your logic is terrorism! Islam's logic considers terrorism to be invalid."<sup>1</sup>

In yet another instance, the Imam speaks more categorically:

"Islam is a religion of compassion; it is a religion of justice. The religion is the law... now you see that some political parties that are corrupt and whom we do not even consider them to be Muslims, nevertheless, because they do not intend to undertake armed revolt and only make political statements, they are free as well as freely print and publish their views."<sup>2</sup>

Despite the Imam's clarifications, the conclusions drawn from the Imam's definition of conspiracy will be quite dissimilar; and this is the ambiguity that was emphasized previously. The ambiguity is the bounds of conspiracy is not known on any face; and some have a very broad understanding of conspiracy while some have a very narrow one. The radical interpretation, which is also known as, the 'theory of conspiracy' drastically, increases the share of conspiracy in political phenomenon while the dissipative interpretation drastically reduces the share of conspiracy to a minimum and even eliminates it altogether. Similarly, one point of view stresses that:

"When conspiracy is determined as a limit of a freedom, then one can no longer threaten or restrict political and civil freedoms in the context of offence, sin or mistake because the assumption that political thought or action is immune from wrong is basically an ill-advised assumption. Secondly, recognizing the presence of ill-wishers, aliens and 'non-locals' at most reasons that in general, we are not living in a political world without conspiracy, but on no account reasons the point that all that occurs in the political world around us is product of conspiratorial thinking of ill-wishers and aliens. Based on the

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1. *Sahifeh-ye Imam*, vol. 7, p. 183.

2. *Ibid.*, vol. 14, p. 343.

theory of conspiracy, share of conspiracy of ill wishers and aliens is to such an extent that by calculating it, there is no need to examine the other factors of analyses of socio-political and historical phenomenon - and of course, the dissipative stance also considers the share of conspiracy factor to be insignificant.”<sup>1</sup>

In practice too, it has been proven that there is no single viewpoint in this field and the diverse interpretations of conspiracy results in diverse attitudes to be adopted towards the political phenomenon under different headings. This ambiguity in the ideological-political atmosphere existed in the country even at the time of the Imam and has continued until the present as well.

However, the writer believes that in the present circumstances too, the opinion of the Imam about separation of political ‘view’ from political ‘action’ is a reliable criterion. The Imam believes that as far as the discussion of political ‘view’ goes, one cannot regard it as conspiracy and prevent it and beyond that to repress it; but when a group enters the ‘action’ stage of overthrowing, here it is conspiracy after all.

Similarly, the Imam has presented yet another clear limit for freedom and its diagnoses, which is freedom within the law. In this case, too, the Imam points out that all over the world, the law determines the limits of freedom - and it is so in Iran as well:

“In every country, freedom is within the limits of the law; within the laws of that country. People are not free to break the law. Freedom does not mean that anybody can say whatever he desires against the laws, against the constitution of a nation and against the nation’s laws. Freedom is within the laws of a country. Iran is an Islamic country and the laws of Iran are the laws of Islam.”<sup>2</sup>

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1. *Matin Quarterly*, editions: 3 & 4, first year, summer and autumn 1999.

2. *Sahifeh-ye Imam*, vol. 7, p. 535.

Nevertheless, about the legal limits of freedom too one must say that in politicized societies, the law and its interpretation doesn't have a clearly defined limit and in practice, it cannot provide the necessary consensual basis for rational threat to freedom.

However, concerning freedom in relation to unrestrained freedom one must say that freedom in the political and external meaning is not the Imam's fundamental aim and aspiration. The Imam recognizes freedom and any other political concept to the extent that it lies on the route to realization of the ultimate philosophy of Islam meaning worldly and after worldly happiness or more precisely, inner freedom and spiritual journey to excellence:

“We don't want a freedom in which there is no Islam... of what use is freedom and independence without Islam to us?”<sup>1</sup>

This issue itself is an important delineation of definition and limit of freedom. Actually, freedom is not a priority for the Imam; rather, inner freedoms and spiritual journey to excellence take precedence over external freedom. This delineation causes “all stages (and types) of freedom to have limits from the Imam's point of view.” Freedom is not the objective, rather it is a means for achieving excellence; and in case instead of furnishing the means for attainment of excellence freedom furnishes the means for decadence of human being, it is better that there be no freedom. Based on this premise, all aspects of external freedom at the same time that from the Imam's point of view are means for realization of the ultimate objective; they are worthy only as far as they lie on that path. However, this emphasis does not imply that the Imam is unconcerned about external freedom. However, the question here is that inattention and indifference to priority of inner freedom from his point of view is the source of many of the wrongdoings. For the Imam,

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1. Ibid., p. 459.

true freedom is inner freedom; and whatever he has stated about external freedom in its various dimensions, obeys the demands of time and place. Based on this introduction we examine the Imam's point of view about the various types of political freedoms including freedom of thought and expression, freedom of publications, freedom of political parties and personal freedoms.

## **B. Types of freedom from the Imam's point of view**

1. *Freedom of thought and expression:* Freedom of thought and expression can be discussed in one sphere because in reality, freedom of expression is none other than freedom to express thoughts. In general, the Imam has emphasized in his works on the existence of freedom of thought in Islam and the Islamic Republic of Iran. A large number of proofs in endorsement of this issue can be presented from the Imam's writings. The Imam considers reliance on proof and reasoning and abstaining from imposing beliefs to be one of the characteristic features of the perfect man and basically, he regards imposition of beliefs to be impossible:

“The perfect human being is one who if he comes to know that his words are the truth, expresses it with proofs and explains his subject with proofs. The reason why the glorious Qur'an states... there is no compulsion in religion...<sup>1</sup> is because beliefs cannot be imposed. It is not possible for a person to impose his beliefs just like that.”<sup>2</sup>

From the Imam's statement that a person cannot impose his beliefs, two interpretations can be offered:

The *first* interpretation is that basically, such a thing is impossible and because it is impractical, one cannot undertake it.

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1. Surat al-Baqarah: 256.

2. *Sahifeh-ye Imam*, vol. 14, p. 93.



The *second* interpretation is that to analyze the Imam's words in the form of a political prescription according to which from the political and intellectual aspect, no person has the right to impose his beliefs. It seems that with regard to the Imam's view concerning freedom of thought and expression; and the need to obey them by the Islamic state, the Imam's view is focused on the political dimension of the previously mentioned statement that the state cannot impose a particular belief.<sup>1</sup>

From this statement of the Imam, that "it is impossible for a person to impose beliefs" one can offer two interpretations:

The *first* interpretation is basically such a thing is impossible because it is not practical and it cannot be done; and the second interpretation is that we analyze the words of the Imam in the form of a political prescription according to which from the political and ideological aspects, no person has the right to impose his beliefs. It seems that with regard to the Imam's opinion about freedom of thought and expression and the need for the Islamic state to abide by it, the Imam's opinion is focused on the political dimension of the above sentence that basically, the state cannot impose a particular faith.

Similarly, the Imam's opinion concerning freedom of thought and expression can be analyzed from two central themes:

The first central theme: there are various interpretations of freedom in Islam that can be examined within the context of difference among Muslims scholars of their respective understanding of Islam. The Imam's opinion in this field and in the present circumstances can be quite enlightening that basically, with what tolerance he confronts the various interpretations of religion; and he regards such a thing as

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1. The Imam's view can embrace both the above concepts - the first opinion from the logical and cognitive aspect and the second from the value and normative aspects.

natural and even necessary and does not permit excommunication and expostulation under any circumstance.

On this subject, the Imam after enumerating the various understandings and deductions of Islam such as those of the mystics, theologians, philosophers and Islamic jurists states:

“Therefore neither they have the right to tell you - who are engaged in studying the sciences, assuming it is right, a person who has knowledge of Islam - what Islam is; nor it gives them the right to say that this beard and turban and these lessons are useless. This is because they have not understood Islam. Neither have you had the right to question what these interpretations of knowledge and these divine teachings are all about. This is because if you say something like this then you too are like them. Neither they have the right - both groups - to say that what these people are saying that in justice must be eliminated and we must spread justice, you can criticize them. That must be there as well. Everything is there. Islam is confined to these things. Islam develops a justice-oriented human being, possessing a munificent nature, possessing divine attributes so that when he departs from this world and arrives in another world, he takes on a human form and is a human being.

Those who see the other side and fail to see this side are flawed... thus those who have fallen on this side have no right to criticize those on the other side; and to find fault with them is to criticize and is to dominate them... in any case, Islam has all of these concepts... and that clan must not object to this one and this clan must not object to that one.”<sup>1</sup>

As we see the Imam points to the presence of diverse jurisprudential, theological, philosophical and mystical deductions and interpretations of Islam. At times these interpretations are opposed to one another but according to the Imam deep inside all are presenters of Islam and Islam is a

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1. Ibid., vol. 3, pp. 230-35.

summary of all of these interpretations; and secondly, the Imam points to the diverse political and social understandings as well and that no group has the right to criticize another one because this implies an ascendancy.

The second central theme of freedom of thought and expression that can be found in the Imam's works is on the subject of attitude towards un-Islamic opinions and views that are opposed to Islam's thought and opinion. On this subject, in consideration of the initial years after the victory of the Revolution, the Imam refers more to the Marxists. On this subject, the Imam points to the presence of opponents and even atheists in Islamic societies and their freedom to express their beliefs:

"In the society that we are thinking of establishing, the Marxists are free to express their beliefs because we are confident that Islam contains all the answers to people's needs. Our faith and belief is capable of meeting the challenge posed by their ideology. In Islamic philosophy right from the beginning, the question of those that deny the existence of God has been proposed. We have never taken away their freedom nor done them any harm. Every person is free to express his belief."<sup>1</sup>

With regard to the above interpretation it seems that from the Imam's point of view, on the one hand freedom of thought and expression-provided it is in the form of scientific and intellectual discussion - is not faced with any restriction but on the other hand, the Imam believes that subjects which harm freedom are not allowed to be promoted.<sup>2</sup>

"Everything can be expressed freely if it does not harm the nation; things that are harmful to the nation are not free."<sup>3</sup>

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1. Ibid., p. 371.

2. Ibid., vol. 9, p. 352.

3. Ibid., vol. 5, p. 520.

Or in another instance, he states:

“Newspapers that do not harm the nation and newspapers whose writings are not misleading are free to publish.”<sup>1</sup>

Now the question is that, what is the meaning of ‘harmful subjects’; what subjects are harmful and what subjects are useful?

How can these questions be explained with regard to the Imam’s subjects? One can reason in one way that the focus of the Imam’s discussion is based on acceptance of freedom; and with regard to the words of the Imam about presence of various interpretations of Islam and freedom of opponents in stating his subject, perhaps one can say that harmful and misleading subjects are those subjects that weaken the peoples’ faith and religious beliefs. However, this criterion is not compatible with the Imam’s point of view that atheists are also free to express their beliefs because in any case, if atheists present their points of view in society, there is the probability that it may have an impact on some individuals. Now with a view to this matter, one can conclude that about freedom of expression and thought, the Imam believes in it if it is within the framework of Islam; but when it is felt that this freedom causes people’s faith and beliefs to weaken, (harmful to the nation) therein there is no place for freedom of thought and expression because basically, this freedom is totally opposed to the inner freedom of the Imam’s consideration. The Imam seeks to establish a society in which the individuals are all directed towards spiritual perfection based on monotheism, now how can he accept freedom of propagation of beliefs that is opposed to the fundamentals of these beliefs? All the limits that the Imam mentions about freedom of expression abide by this principle. Limits such as ‘freedom until the limit of corruption’, ‘freedom within the framework of Islam and state laws’, ‘freedom to the

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1. Ibid., p. 521.

limit of conspiracy against Islam'<sup>1</sup> - can all be analyzed towards this end.

Likewise, his point of view about the freedom of religious minorities can also be discussed within this framework. In fact, the religious minorities are free to safeguard their beliefs and perform their religious rituals, traditions and ceremonies. However, this freedom does not mean that they are free to propagate their beliefs and spread them at the expense of Islamic beliefs.

Similarly, concerning freedom of thought and expression up to the limits of conspiracy, it needs to be mentioned that the Imam himself changed his viewpoint in certain instances. These interpretations were presented at a time when the pillars of the Revolution had almost stabilized and the Imam sought to limit the freedom of certain political groups whose beliefs and actions could have jeopardized the Islamic system. The Imam opined that after the Revolution, we had given unlimited freedom to all fronts, groups and newspapers, but gradually it dawned that they were busily engaged in conspiring against the country and wanted to annihilate the country...<sup>2</sup>

Therefore, the apparent dissimilarity between theoretical points of view that the Imam presented before the Revolution and in the initial years of the Revolution about freedom of opposition groups; and his practical behavior about freedom of expression in relation to opposition groups can in fact be analyzed on the basis of the question mentioned about priority of inner freedom and role of Islamic state in realization of its scope from the Imam's point of view. In any case, the Imam preferred inner freedom and the government and state that sponsored it over external freedom - and this is evident from his practical and theoretical behavior concerning freedom of the press, the mass media and political parties as well.

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1. Cf. *Qazizadeh*; Ibid., p. 336.

2. *Sahifeh-ye Imam*, vol. 11, p. 145.

2. *Freedom of the press and mass media*: Of course, freedom of the press is not distinct from freedom of expression, but because the press and media have a wider mission, we examine them separately. Freedom of the press and mass media was one of the important issues that the Imam emphasized before and after the victory of the Islamic Revolution. While criticizing the Shah's regime, the Imam always emphasized on the necessity of press freedom. During the struggle against the Shah's regime, the Imam while criticizing the regime's monopoly of mass media, considers the entire media to be the panegyrists of the regime and strongly opposes the situation. He expresses his dissatisfaction that the opponents had no means to publish their views:

"We do not have any means of publication; they took away everything from us. They took away the radio and television from us... our newspapers are dirty."<sup>1</sup>

The Imam describes the Shah's regimes in terms of freedom of press and publication as follows:

"Freedom has been taken away from the people totally. The people never enjoyed the right to elect. Speakers and writers have been killed or imprisoned or are barred from writing and speaking. They have deprived the press from writing the truth - and in a single word - they have destroyed all the fundamental principles and democracy."<sup>2</sup>

In this period, the Imam while emphasizing freedom of press considers it as one of the fundamental rights of individuals in society. He deems taking away freedom of writing to be a sign of despotism and old-fashioned mentality:

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1. Ibid., vol. 1, p. 269.

2. Ibid., vol. 5, p. 330.

“No person has the right to ban writing.”<sup>1</sup>

“We who say that the press should be free, are we being old-fashioned? Are the officials who force that this must be written in the newspapers progressive?”<sup>2</sup>

Therefore, from the Imam's point of view, freedom of writing is a natural right that the state has no right to prevent it. The Radio and Television Broadcasting is also one of the media whose freedom the Imam emphasizes; and contrary to public opinion that regard radio and television network to be a tool in the hands of the government and for its propagation, the Imam views radio and television network as a free media and critic of the government. This freedom implies that the radio and television broadcasts must:

“Publish all sorts of criticisms with absolute neutrality so that we don't once again be witness to the radio and television network of the deposed Shah's era.”<sup>3</sup>

The main distinguishing feature that the Imam proposes for the radio and television network in relation to the Shah's radio and television network is ‘broadcasting of all sorts of unbiased criticisms’. Therefore, the Imam is opposed with the transformation of the television and radio network into government propaganda machinery. He believes the duty of the radio and television network is unbiased criticism instead of justification of the performance of the political system and government; and if does not perform its duty, just as the Imam stated explicitly, it will not be different from the radio and television network of the Shah's era.

The Imam not only does not consider the media, including the radio and television network to be a tool in the hands of the

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1. Ibid., vol. 1, p. 29.

2. Ibid., p. 293.

3. Ibid., vol. 12, p. 208.

government, rather, he stresses on their line of criticism and in fact he views the difference in the mass media of the Islamic Republic of Iran with those before the Revolution in their critical style and perspective of social issues; and if the mass media deviate from this critical line and transform into government loudspeaker, then in fact it has acted against the Imam's view.

Of course, on the subject of freedom of the press too, the Imam mentions the same restrictions that he mentions for freedom of expression and stresses:

“Once again I ask the media all over Iran to come and join hands with one another and write on subjects freely but not engage in plots. I have said repeatedly that the press must be independent and free.”<sup>1</sup>

As was discussed previously as well, it appears that here too the meaning of ‘plot’ is disregard for proof and rationale and engaging in propaganda for overthrow instead of reformation; and in some places where he advises the press to desist from publishing material harmful to society and against the interests of the people, what he means is that they desist from printing immoral and unethical material. However, in fact, he adheres to the same restriction that was discussed about freedom of thought and expression and the preliminary discussions concerning it.

Therefore, the Imam not only does not view the print media that with logic and rationale present their political viewpoints and stances in society cynically, rather, he regards them to be necessary and essential as well. However, one of the basic criterion that the Imam considers for these matters is absence of blatant variation with the Islamic laws; and this criterion is the main and ultimate criterion of the Imam's point of view about the print and mass media and in general, for every kind of

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1. Ibid., p. 208.



political activity.

3. *Freedom of political parties*: On the subject of activities of political parties, the Imam's view is also within the framework of his previous views on political issues. The Imam emphasizes on freedom of activities of political parties and in general, opines that Islam is compatible with democracy and the Islamic state is consistent with principles of democracy.<sup>1</sup>

Considering that one of the basic principles of democratic governments is presence of diverse political parties with diverse points of view and their open activities is with the intent to attain power and implement their political programs and objectives; and with regard to the Imam's opinion about Islam being compatible with democratic methods, the presence of political parties in Islamic state and society is essential. This is because democracy without free and active political parties on the political scene is basically, not democracy. It is for this reason that the Imam always stresses the issue that all political parties can freely express their views within the framework of the Islamic Republic.

Nevertheless, his point of view can be examined both from the theoretical as well as the practical aspect. In general, the Imam emphasizes freedom of political parties and yet again, he restricts them within the limits mentioned earlier. Political parties, political and religious factions and groups are free as long as their activities are not against the Islamic Republic and Islam and do not breach sovereignty of the nation, nationality and the country. However, in the initial years after the victory of the Islamic Revolution, because of the absence of political system, diverse political parties created a chronically competitive atmosphere; and gradually because of the negative performance and affiliation of some political parties and leftist Marxist groups, a large amount of restrictions were placed on

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1. Ibid., vol. 4, p. 503; vol. 5, pp. 329 & 353.

the open activities of political parties such that after sometime the political parties withdrew from the political scene of the country as there was no room for their activities. One can find the reasons for that from the Imam's words as follows:

“After our nation attained victory... we opened the gates of blessings on all strata on two fronts. We acted with compassion, they became free; the boundaries were opened; the pens were free; political activities were free; everything was open... they were not grateful for this blessing and engaged in plotting.”<sup>1</sup>

We have mentioned our opinion earlier about the Imam's assertion of plotting, revolting and sabotaging and believe that whenever the Imam speaks of plot, he implies the same. Based on this interpretation, as we move away from the beginning of the Revolution the field of political activity in society gradually becomes narrower and certain restrictions are placed on activities of political parties. On this, subject the Imam states:

“We allow one party or a few parties who act correctly to perform and we announce a ban on the rest; and we will destroy all their writings that were against the path of Islam and the path of Muslims. After we made it clear to them that they were dictators; that we sought freedom and you didn't allow; we gave freedom and you didn't allow this freedom to stay - now that it is so, we shall behave in a revolutionary manner with you.”<sup>2</sup>

Of course concerning the Imam's point of view on this subject one can go even further and reach to the conclusion that basically the Imam did not view the idea of political parties favorably. The fact that the Islamic Republic Party was closed down with his approval is testimony to this claim although another interpretation can be presented that the Imam did not

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1. Ibid., vol. 9, pp. 370-71.

2. Ibid., p. 300.

want the clergy as people's representatives and spokesmen of religion, to establish a faction within the party in the political sense.<sup>1</sup>

In any case, in that period society from the viewpoint of preponderance of revolutionary spirit in society and ambiguity of political lines and programs, the atmosphere was not conducive for activities of political parties such that after a short while, all parties withdrew from the political scene. In general, in a revolutionary circumstance because political differences whose presence in every society is natural and even essential are not clear and even the revolutionary atmosphere doesn't permit their appearance, the society's situation is such that it cannot accept political parties. However, it is natural that with passage of time and drop in initial fervor of revolution, gradually the situation is transformed and the entry of political parties on the society's political scene in this situation is not only desirable; rather, it is necessary. Thus, the imam states that:

“When these problems (initial problems and disturbances after the Revolution) are resolved, the political parties are free. We will never be an obstacle to freedom.”<sup>2</sup>

Therefore, the Imam emphasizes acceptance of political parties in normal social circumstances; and it is natural that open activities of political parties is incumbent on acceptance of intellectual and political diversity in society. Until diversity of opinion is not accepted in society, the atmosphere for activities of political parties will not exist even though freedom of political parties based on the constitution be routinely emphasized.

4. *Freedom of election*: One of the instances that the Imam

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1. Center of Islamic Revolution Documents, *Memoirs of Ayatollah Sayyid Hassan Taheri Khorramabadi*, vol. 2, p. 222.

2. *Sahifeh-ye Imam*, vol. 10, p. 97.

emphasizes its soundness and freedom in the field of political activities is elections. With regard to the bitter experience that the Imam had about nominal elections of the time of the evil oppressor regime; and he had understood its negative and extremely destructive effects from close, on the subject of elections he insists a lot on freedom of elections and people's active participation in them. Before the Revolution, the Imam had witnessed that house representatives including both the National Consultative Assembly and the Senate were either stooges of aliens or attached to the royal court; and the only thing that was not important to them was the rights and interests of this nation. The Imam repeatedly points to this bitter issue and the agony he faced from it and it was for this reason that he gave a lot of importance to elections and the need to elect competent representatives. Here it is not necessary to quote the Imam on this subject because the Imam always emphasized the importance of the legislative assembly, elections and free participation of people in them. Here we refer to the basic principles of the Imam's view on the subject. The Imam considers one of the main dissimilarities of the Islamic Revolution and the monarchy before the Revolution to be people's participation and visible realization of people's basic rights in society of which one of the most important aspects is participation in elections:

"In the past the nation was either not allowed having a say in any of the affairs or it would not participate because it would see the amount of corruption that was involved. Consider that in elections - which is the nation's right - the people were absolutely unaware what the elections were all about. Basically, they would not pay much attention to the fact that people were being used... this was in relation to elections

which were the peoples' right."<sup>1</sup>

On the other hand, the Imam emphasizes on people's freedom in elections:

"The voting must take place in a free atmosphere and without any coercion, pressure, threat and intimidation."<sup>2</sup>

This subject is of such importance to the Imam that he believes in future there must not be a situation governing society whereby a person can prevent people's freedom to choose. The Imam considered unambiguity of laws on this subject to be essential in such a way that there would not be any possibility of its erroneous interpretation to suit the idiosyncrasies of dictators and egotistic individuals.

On this subject, the Imam also proposes important recommendations to the people and considers people's judgment as the ultimate yardstick for election of individuals.

The Imam's words on this subject are amazingly categorical and prevent any sort of misinterpretation or exploitation. The Imam states that:

"People all over the country are free to elect the person of their choice; and no one has the right to impose himself or contestants of the faction or factions."<sup>3</sup>

The Imam's emphasis on the necessity of freedom of elections and balloting is so strong that it needs no reiteration and can be noted in the various works of the Imam. The Imam's view on the subject is so categorical that he states:

"If all those who are at the top propose that you appoint such and such person as legislator but in your view it is not right, it is not permissible that you follow it. You must judge by

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1. Ibid., vol. 18, p. 295

2. Ibid., vol. 1, p. 136.

3. Ibid., p. 337.

yourself whether he is the right person to give your vote to or not.”<sup>1</sup>

The Imam did not consider elections to be the monopoly of any faction, group or political party and regarded it as the fundamental right of the nation by means of which they determine their destiny.

5. *Personal freedom:* Examination of the rights and freedoms of individuals from the Imam’s point of view is of special importance. Individual freedoms include all rights that distinguish the personal lives of individuals from the public sphere and protect it from infringement of the government. The question that comes to mind is whether in the Imam’s thinking the possibility of segregation of public sphere from the private sphere does exist although Islam has directives for living of individuals even in their own homes; but whether such matters imply legal authority of government to invade private lives and breach their personal freedoms or that it reveals the presence of decrees in Islam that regulates the private lives of individuals as well?

It seems that here the purpose is not to give legal authority to the government for invasion of private lives of individuals; rather, it is to emphasize the existence of such decrees. As the Imam has made important references in his speeches that condemn intrusion in to the private lives of individuals and considers the law to be the authority for determining the extent of intervention of the government in the personal sphere. He believes that we must not do injustice meaning that scrutinize what is happening inside the peoples’ homes... people must be secure in their homes.

Incidentally, it seems that the Imam’s emphasis on individual freedoms is extremely eloquent and explicit and

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1. Ibid., p. 284; vol. 18, p. 337.

there is no ambiguity concerning individual rights and their limits. Individual rights consist of freedom of occupation, freedom of housing, way of life, individual security, immunity from illegal arrest, detention and torture; safeguarding personal liberty of all individuals and principle of legality of punishments. Here we examine the Imam's view concerning each of them.

One of the most important and most famous directives of the Imam is the eight-point edict, which in general is concerned with securing the personal security of individuals. In the first years after the Islamic Revolution, due to the revolutionary fervor dominating the social environment, many of these freedoms were invaded. Thus, Imam Khomeini issued his famous eight-point edict in order to halt these sorts of actions. In this edict, he emphasizes the legal, religious and moral basis of punishments and advises every one against committing injustice and exploiting the rights of others:

“We all must know that after establishment of the rule of Islam, consolidation and power of the Islamic republic order with the blessings and favors of the Almighty and Benevolent God... it is not acceptable nor tolerable that in the name of the Revolution and being revolutionary, god forbid we do an injustice to others; and persons negligent of spirituality do things that are contrary to Divine regulations and benevolent Islamic behavior.”<sup>1</sup>

The point that the Imam stresses is the circumstances prevailing during the Islamic rule. It is evident that during rule of Islamic state, execution of Islamic decrees is the responsibility of the legal establishment; and individuals cannot willfully invade the privacy of others in the name of implementing Islamic laws. It is in the rule of the oppressive government that because the Islamic laws are not the basis of action of government,

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1. Ibid., vol. 17, p. 143.

individuals can directly - that too when conditions permit - resort to such actions but during the rule of Islamic administration, irresponsible actions of individuals can have very severe decadent results. Therefore, basis of individual freedoms in Islamic society and government is the law and indeed is the main factor guaranteeing personal rights and freedoms.

In the Eight-Point Edict and other subjects he has presented in this field the Imam has placed this duty on the Islamic government. Concerning the immunity of individuals' homes, he states thus:

“No person has the right to enter the private home or business premise or workplace of a person without the permission of its owner or to arrest any person; or in the name of detection of crime or commitment of sin pursue and keep a watch; or to insult an individual and commit inhuman and un-Islamic actions; or by means of the telephone or cassette recorder eavesdrop on another person on the pretext of detecting crime or uncovering center of vice; or in order to uncover a sin and crime however cardinal it may be, eavesdrop or pry on people's secrets and spy on sins of others or expose the secrets that has been revealed to him by others - all of these are crime and sin.”<sup>1</sup>

The above subjects have been stated in an atmosphere when some people in the name of religion and Islam would intrude the homes and workplaces of people and would insult, mistreat and trouble them, which was strongly opposed by the Imam. The Imam even banned mistreatment of groups opposed to Islam and the Islamic Republic. From the Imam's point of view, this sort of approach with individuals is in conflict with religious canons and causes corruption; and as he declares in the eight-point edict in addition to preventing individuals from resorting to such actions with whatever motive, he holds the

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1. Ibid., p. 140.



government responsible for preventing such actions and punishing the violators. It is extremely important to take note of the circumstance when this edict was issued.

By issuing the eight-point edict, the Imam firstly, restrains individuals from resorting to such actions; and secondly, considers the government to be responsible for preventing such actions. The basis of the Imam's opposition with these actions is that the Imam regards them to be expressions of injustice; and considering that in the Imam's view, the biggest Islamic objective and the Islamic Revolution is to establish justice, he opposes them strongly and stresses that these actions cannot be justified even in the name of religion.

It is within this framework that the Imam considers promotion of good and prevention of evil to be permissible within the framework of Islamic regulations and deviation from it to be impermissible while prohibiting beating and abuse of individuals and violating privacy of people's residences.<sup>1</sup>

Similarly, he reminds that:

“...the compassion of the Compassionate causes him to send two great prophets for him (the pharaoh) and at the same time, counsels them that they speak with him gently so that he may remember God and fear his misdeeds and the retribution. This is the decree of ‘promotion of good and prevention of evil. This is the manner of showing the way to the likes of the Pharaoh. Now that you want to ‘promote good and prevent evil’ ...meet with the worshippers of God with a heart full of love and affection...”<sup>2</sup>

It is evident that in case a person behaves violently in the name of ‘promotion of good and prevention of evil’ not only ‘Divine good’ doesn’t spread in society, rather, that action itself will be the biggest evil and factor for spreading evil in society.

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1. Ibid.

2. Khomeini, Ruhollah: *The Discipline of Prayer*, p. 239.

Therefore, in the Imam's view, one can never violate personal security and immunity of home and workplace of individuals in the name of 'promotion of good and prevention of evil' and to disregard their rights; rather, according to the Imam, this action itself deserves to be punished and penalized as well.<sup>1</sup> The Imam considers the biggest applicability of promotion of good and prevention of evil and the severest in terms of effect to be practicing good and doing away with evil and mentions it as the most effective way in this field.<sup>2</sup>

Thus in the Imam's ideology too for promotion of good and prevention of evil resorting to physical fights in case of necessity requires the permission of the competent religious jurisprudent; and because in the Islamic state the government is in the hands of qualified religious guardian this matter lies solely in the hands of the Islamic government and the ordinary people can only verbally and that too by taking the circumstances into consideration including the likelihood of its effectiveness perform this divine duty. The Imam has always in his 'fatwas' religious decrees emphasized on the conditions of positive necessity of promotion of good. If they fear for life or reputation of themselves and pious believers, that duty is forbidden by religion. Similarly, if they fear for the substantial properties of pious believers, that duty is forbidden.<sup>3</sup>

The Imam believes that Iran is an Islamic state and everything in it should be Islamic. If a person in his personal living commits a sin and immorality as well, assuming that it is proven, promotion of good and prevention of evil must be practiced on basis of religious criteria.<sup>4</sup>

Basically, in an Islamic state promotion of good and prevention in a society in which an Islamic ruler is ruling is

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1. *Sahifeh-ye Imam*, vol. 17, p. 140.

2. Khomeini, Ruhollah: *Tahrir al-Wasilah*, vol. 1, pp. 442-43.

3. *Ibid.*, pp. 433-34.

4. *Sahifeh-ye Imam*, vol. 17, p. 268.

permissible for the people to a stage where it does not lead to coercion and violence. Suppose if in a society the administration is not based on Islamic canons, the pious believers can take direct action for preventing decadence on the basis of religious decrees.; but in cases where the Islamic ruler holds power in society and Islamic laws are the foundations of decisions, people don't have the right to resort to violence for promotion of good and prevention of evil because legal obligation rests solely with the government. Freedom of occupation and respect for the rights of individuals to choose their occupation is yet another aspect of individual rights that the Imam has emphasized. In general, the Imam emphasizes the right of individuals to choose their occupation. One of the issues that can be mentioned here is the Imam's letter concerning dissolution of placement boards in ministries and other government bodies. In the letter the Imam while proclaiming the dissolution of the boards, emphasizes the improper job placement process:

“Some of the placement issues are extremely wrong and the probability existed that corrupt individuals want to destroy us; because matters such as identity card number of so and so person, or in which place so and so person was martyred are not Islamic issues; and mention of these sorts of issues in an Islamic country is shameful; and that these should be the criteria for employment and Islamic identity of individuals; and that we throw away the youth who could be useful for Islam from their jobs.”<sup>1</sup>

This letter was written in response and opposition to some of the workings of the employment boards who would employ, dismiss and absorb individuals on basis of superficial criterion. While stressing the above point, the Imam emphasizes the pertinence of placement questions with the job description; and

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1. Ibid., p. 224.

while demanding the replacement of individuals who were fired from their jobs because of such placement policies, the Imam proclaims Islamic criteria as the basis of employment.

Therefore, the Imam dissolved one of the factors of breach of freedom of occupation in society by relying on Islamic criterion and demanded freedom of occupation in society.

Immunity from willful and illegal arrest is one of the aspects of personal freedom as well.

From the Imam's viewpoint, the basis is acquittal of individuals and they cannot be arrested willfully and without legitimate reason. Based on this premise, while prohibiting spying on private lives of individuals and forbidding leveling baseless accusations on them, the Imam emphasizes the legitimacy of all arrests and punishments of criminals.

It is worth mentioning that the Imam insists on observance of legal and religious criteria for pursuing, arresting and prosecuting of individuals at a time when at the beginning of victory of the Islamic Revolution, such illegal and un-Islamic actions were commonplace and because of the chaos, some radical individuals permitted themselves that because of a sense of responsibility and because of misuse, to resort to improper methods which at first glance appears to be natural as well. However, His Eminence the Imam even in that period considers it necessary to adhere to religious criteria, Islamic leniency and morals while at the same time he stresses that:

“Punishment of criminals and traitors after the crime has been proven rests with competent courts of law and not with ordinary individuals.”<sup>1</sup>

From the Imam's viewpoint, the basis is the legality of crimes and punishments and only the competent court of law must intervene in these affairs and any sort of interference by non-competent individuals under any name and for any reason is

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1. Ibid., vol. 6, p. 403.

prohibited. The Imam's statement on this subject and that too in the initial years after the victory of the Revolution when the conditions were favorable for such actions is so uncompromising that it does not need any clarification and explanation:

“Nobody has the right to arrest or summon to court without the magistrate's order that must be based on religious criteria, however brief the period of arrest. Arrest or arraignment by coercion is a crime and is liable for religious penalty.”<sup>1</sup>

As we can note, in the Imam's point of view, not only arrest must be based on magistrate's order; rather, the magistrate's order must also be based on religious criteria; and considering that in the Islamic administration and religious criteria govern the society in the form of the law, the magistrate's order must also have a legal basis and the magistrate by disregarding the laws, cannot willfully and unlawfully issue the warrant for arresting individuals. In addition, the Imam emphasizes the observance of religious and legal criteria during interrogation, prosecution and imprisonment as well.

The Imam takes into consideration all necessary guarantees for respecting the personal rights of individuals and leaves no room for misunderstanding, misinterpretation and misuse. Meanwhile, the most important issues that occupies the Imam's mind is safeguarding the credit and reputation of Islam and he views the performance of the Islamic Republic as a report card of Islamic state. He places a lot of emphasis on respect for personal security of individuals in Islamic society as well and basically, defines Islamic society on this same principle so that the government cannot violate the rights of individuals. He opines that:

“This uprising was an uprising of truth; it was the uprising of right over wrong. It was the uprising of divinity over evil. It

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1. Ibid., vol. 17, p. 140.

was the uprising of humanity over inhumanity... no longer is there the security organization; no longer is there a police force to oppress the people. The police force is Islamic; the government is Islamic; it is a government that respects the law; that abides by Islam. The one who respects Islam cannot and does not commit injustice.”<sup>1</sup>

It is interesting to note that because of this Islamic perspective and in contrast to all revolutionary leaders of the world who consider violence to be necessary for victory of revolution and in fact regard it as an integral part of it, the Imam forbids the people from resorting to violence and immoral methods even during the struggle against the Shah’s regime such that he proclaims in a statement that:

“It is said that in Tehran and the provincial cities, unsigned declarations are being circulated that threaten many individuals in the name of being ‘Savak’ agents or the Shah’s operatives with the death penalty and have set fire to homes on this pretext and abused and distressed their wives and children such that they have informed from Iran that actions contrary to Islam and justice without observing religious laws are being undertaken that reveals dirty hands are at work to accuse the sacred Islamic movement of creating chaos and intimidation and terror... the honorable nation of Iran must know that the sacred doctrine of Islam respects the life and property of human beings and considers their violation to be among the cardinal sins. Those who commit such crimes and terrorize the people seem to belong to deviant factions who want under the cover of anarchy, either protect the Shah or to destroy the country by means of a military coup.”

“The Muslim people of Iran in their rightful struggles do not make use of such inhuman tactics and have a religious obligation not to pay any attention to such declarations that include murder and looting; and to unsigned declarations and to thwart those who want to attack people’s homes and to set

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1. Ibid., vol. 7, p. 706.

them on fire.”<sup>1</sup>

As we can note, in the course of the struggle, the Imam does not consider it permissible to use un-Islamic and inhuman methods even opposite the enemies - enemies who are openly hostile leave alone to apply them in relation to friends who hold divergent views.

By mulling over these points, one can show the amount of the Imam's commitment to personal freedom in Islamic society. Therefore, the Islamic society for which the Imam struggled is one in which personal freedom of the entire nation is respected and in which the government is committed to securing them.

As emphasized earlier as well, it seems that the Imam's point of view about personal freedom soundly emphasizes the invulnerability of private life of individuals from inadmissible state interference. Nevertheless, it must be said that concerning personal freedoms too, the Imam does not believe in their absolutism and regards individual freedom to follow the interest of the individual that can be programmed within the framework of spiritual excellence. For this reason, he does not accept inflicting harm on the soul in any manner although this does not imply that no one has the right to investigate other's personal affairs.<sup>2</sup> Therefore, the Imam does not permit others to probe into personal affairs.

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1 .Ibid., vol. 5, p. 402.

2. Cf. Qazizadeh; Ibid., p. 346.

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## **Defending Freedom in Religious Democracy**

*Hojjatol Islam Mohammad Hossein-Abadi*

### **Duties of people and officials in defending freedom**

#### **1. Belief in people's rights**

Belief in people's rights of the officials and Muslim people is the basis and foundation of realization of citizen's participation in political affairs, democracy and freedom. Although in Islam right of sovereignty belongs to god and no one has the right to intervene in society's affairs without His permission, but this doesn't mean that God has not considered certain rights and duties for people vis-à-vis social affairs... Islam has granted the right to freedom of expression, protest and criticism of performance of officials, right to monitor their actions and behavior, right to express opinion in all affairs of society on behalf of the Supreme God to each and every Muslim.

If the leaders of society hold the belief and conviction that in this system people have no other duty and responsibility except to obey, abide by, support and back the officials and prepare the grounds for an Islamic state, therefore, even though at a point in time out of necessity and emergency, they are compelled to grant rights to people, but because they do not feel any religious obligation in themselves in relation to that, they cannot remain committed to it; and if the situation demands, they act contrary to it. However, if society's leaders such as Imam Khomeini consider involvement and participation of the people in all of

society's affairs right from electing the leader to the right of criticism, protestation, supervision of performance and having a say in decisions to be the right and duty of people, in this case the officials consider it their religious duty to respect people's rights and their political freedom and not to cross the prescribed limits. In response to the question that under what circumstance the qualified Islamic jurisprudent enjoys guardianship of the Islamic society, Imam Khomeini remarked that:

“Guardianship has a general appearance. However, empowerment of affairs of Muslims and forming a government depends on majority vote of Muslims which has been mentioned in the constitution as well; and was interpreted as swearing of allegiance with the guardian of Muslims at the advent of Islam.”<sup>1</sup>

In another instance he states that:

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 “We do not intend to impose anything on our nation; and Islam has not given us the permission to exercise dictatorship. We abide by the nations' votes. We abide by whichever way that the nation votes. We have no right; the Almighty and Exalted God has not given us the right; the Prophet of Islam (SA) has not given us the right to impose a thing on our nation.”<sup>2</sup>

Similarly, he had stated that:

“In this government, the administrators of affairs must constantly consult with the representatives of the nation in decision-making; and if the representatives disagree, they cannot decide alone.”<sup>3</sup>

## 2. Informing the people of their political-social duties

One of the affairs that plays a significant role in safeguarding

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1. *Sahifeh-ye Imam*, vol. 20, p. 459.

2. *Ibid.*, vol. 11, p. 34.

3. *Ibid.*, vol. 5, p. 436.

democracy is creating awareness in people in relation to their duties and rights. If people are aware of their rights and duties vis-à-vis society and know that acting upon their political-social duties from Islam's point of view with the intent to proximate to God and earn his consent is considered an act of worship while it is a sin to be negligent of them, in that case they will not remain silent in relation to infringement of their rights. Educating and informing the people of their rights is one of the duties of society's leaders.

Hazrat Ali (AS) states that:

“O people! I have a right on you and you too have a right on me. But as regards your right on me... it is to educate you so that you are not ignorant and to teach you civility so that you are informed.”<sup>1</sup>

The Infallible leaders (AS) strove to train the Muslims to speak the truth, be forthright and freethinking. On various occasions, they would involve people in their decisions. They would ask their opinions and in some cases even prefer collective opinion over their own. This method caused the Shiites to be eloquent and never remain silent throughout history in relation to injustice, crime and wrongdoings of rulers. Hazrat Ali's (AS) style of administration was such that people voice their protests with daring and audacity in the midst of His Holiness's speech. Taha Hussein remarks that:

“Hazrat Ali (AS) would literally manage people's affairs; and would consult them on all big and important affairs; and if they voiced their opposition, he would accept their opinion and implement it - and this itself caused them to become more audacious.”<sup>2</sup>

In following in the footsteps of the Immaculate Imams (AS),

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1. *Nahj ul-Balaghah*: Sermon 34.

2. Hussein, Taha: *Ali ('a) and His Offspring*, translated by Mohammad Ali Shirazi; p. 187.

both in the past as well as after the victory of the Islamic Revolution, Imam Khomeini also asked the people not to remain silent in relation to the offences, mistakes and deviations of officials. He repeatedly stressed the point that all people are responsible in relation to each other's actions; and any person in society who witnesses a wrongdoing and deviation by any authority and official has a duty to prevent it.

### 3. Sacrilege by political leaders

One of the important and basic factors in creating the ground for criticism in society is that society's leaders place themselves in the ranks of the people and their equals from various socio-political aspects and to strongly avoid seeking any kind of privileges and greediness. Throughout history, those in power have always tried to instill fear and terrorize people by creating an awe and ~~superficial splendor for themselves and~~ in so doing take away any scope for criticism and protest by the people. Towards this end, they went as far as to exploit the pure and religious sentiments of the people by creating a position of sanctity for themselves that was beyond criticism, objection and questioning. Throughout history the Umayyad and Abbasid caliphs by employing the services of materialist religious scholars, attempted to present opposition and objection to the caliph and sovereign to be tantamount to opposition and objection to God, the Prophet of Islam (SA) and apostasy; and in this manner silence any objection and criticism as well as cover-up their wrongdoings. Those in power have always interpreted religion in such a way that religious concepts did not contradict their appetite for power, materialistic outlook, privilege seeking and avariciousness; and to call upon people to calm, compromise and absolute obedience. This caused some freedom-seeking and right-seeking persons to either distance themselves from religion or to disagree with the idea of theocracy.

Late martyr Motahari - rightly labeled as the product of

Imam Khomeini's life - refers to granting a divine position and above criticism and protestation to the Islamic society's leaders to be one of the factors for the youths' deviation from Islam and their inclination towards secularism. His eminence remarks:

“It wasn't only the Christians of the west who promoted the idea of secularism. A number of Muslims - that too the pious enlightened Muslim intellectual - were ardent supporters of it as well. Why? These Muslims actually were troubled by another issue which was that in the Sunni world, considering that they regarded the caliphs and sovereigns to be the 'guardians of affairs' and their obedience an obligation from the religious aspect, the relationship of religion and politics was one of religion being in the service of politics. Those who supported the idea of separation of religion from politics wanted this sort of a separation meaning that they wanted the Ottoman caliph or Egyptian ruler to be recognized purely as a worldly and not spiritual position (and religious/ and national conscience; and people should be free to criticize them and this was the right thing to say. The relationship of religion and politics that the likes of Sayyid Jamaloddin propounded did not mean that - in the words of Kowkabi - political despotism give itself a religious sanctity; rather on the contrary, it means that the Muslim masses regard involvement in their political destiny as an important religious duty and responsibility. Relationship of religion and politics does not mean the attachment of religion to politics; rather, it means the attachment of politics to religion. A number of Arab Muslims who supported the idea of secularism and detachment of religion from politics didn't wish to repudiate the involvement of the masses in politics as a religious duty; they wanted to repudiate the religious and spiritual credibility of political authorities... as we know, relationship of religion to politics in the context mentioned above - meaning the spiritual status of rulers - exclusively belongs to the Sunni world and such a meaning has never existed in the Shiite world. The Shiite interpretation of 'guardians of affairs' have never been in the form stated

above.”<sup>1</sup>

As the late martyr, Motahari had pointed to, in Shiite culture the nature of theocracy has never been the same as total and unquestioned obedience of rulers. The Shiite, in the light of the actions and words of the immaculate leaders (AS), has never placed the non-immaculate rulers in a position and stature of being above criticism and taking objection. The Commander of the Faithful Hazrat Ali (AS) states thus:

“Beware of three persons in your religion... and the man whom God has granted power and who thinks that to obey him is to obey God and to oppose him is to oppose God; and he lies because to follow the creature with the aim of opposing God is unacceptable. It is improper that the creature should desire to disobey God. No obedience that leads to disobedience of God is right and to obey a person who disobeys God is unacceptable. Verily to obey God and His Prophet (SA) and the custodians of affairs is necessary; and the reason why God has commanded to obey His Prophet (SA) is because he is infallible and immaculate and does not enjoin wrongdoing; and for this reason God has commended to obey ‘the custodians of affairs’ is because they are infallible and immaculate and do not order disobedience of God.”<sup>2</sup>

The Immaculate leaders (AS) were profoundly distressed about Muslims behaving with them like they did with other powerful rulers and if they accorded them special privileges - and they would caution them not to do so. Abdullah Bin Masoud says that:

“A man came into the presence of the honorable Prophet of Islam (SA) in order to speak to him. He was intensely influenced by the dignity and splendor of the Prophet of God (SA) that sent a shiver down his spine.”

1. Motahari, Morteza: *Islamic Movements in the Last Century*, pp. 25-6.

2. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, pp. 75 & 337.

The Prophet of Islam (SA) stated to him that:

“Take it easy! I am not a king; I am the son a woman who would eat stale and dried meat.”<sup>1</sup>

Leaders of religion even in cases where Muslims out of pure sentiments and love and affection would consider special privileges for them; and would engage in particular formalities in order to show their respect for them, restrain Muslims lest such actions be transformed into official and public ceremonies in their attitude towards society’s leaders and authorities and be exploited by non-immaculate leaders and rulers in the future.

Abuzar would say that:

“I saw Salman and Bilal approach the Honorable Prophet of Islam (SA). When they came close to His Eminence, Salman hurled himself at the feet of the Prophet of God (SA) and began to kiss them.”

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The Prophet of Islam (SA) strongly urged him to desist from such an act and stated:

“O Salman! Do not behave with me in the manner that the Persians do with their sovereigns. I am a creature of the creatures of God. I eat what the creatures eat and take my seat like the creatures take their seat.”<sup>2</sup>

If the honorable prophet (SA) had not restrained Salman from this act, then certainly other Muslims because of the love and affection they held for His Holiness (SA) would follow example in their meeting with the honorable Prophet of Islam (SA) so that this action would become a general tradition and custom in Islamic society.

After the honorable Prophet of Islam (SA), the non-immaculate caliphs and rulers by virtue of that, adopted the

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1. Hakimi, Mohammad Reza: *Al-Hayat*, vol. 2, p. 47.

2. Ibid.

style of the Roman and Persian kings and justified it as the tradition of the prophet of Islam (SA).

However, the Commander of the Faithful Hazrat Ali (AS) when he reached the city of Anbar on the route to Syria, the village chiefs farmers and townspeople out of respect to the Imam (AS) dismounted from their horses and began to run ahead of His Holiness (AS). When the Imam (AS) objected, they said: "By doing this, we pay our respects to our rulers."

The Imam stated:

"Swear to God! Your leaders would derive no benefit from this tradition and with your action you put yourself in trouble in this world and on the Day of Resurrection you shall suffer from misery and wretchedness; and how costly is the suffering and misery that brings Divine punishment in its wake and how profitable is the calm that brings in its wake security from castigation."<sup>1</sup>

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From these words, it can be deduced that any form of protocol that results in humiliation and belittling of people is forbidden and inadmissible in Islam and brings Divine punishment in its wake. Of course, outpouring of feelings for the leaders of society in private gatherings by their sincere admirers is not wrong; but these actions must not become official and universal in public gatherings and should not be such as to cause humiliation and degradation of the people. In the Islamic state, respect and admiration for officials must not take the form of a special ceremony so that every person who comes across them is compelled to observe them so that if any person who avoids performing them is regarded as showing disrespect and hostility towards them.

Although the Immaculate leaders (AS) are immune from wrongdoing and vice; nevertheless, they would never place themselves in a position of being above criticism and

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1. *Nahj ul-Balaghah*: Wisdom 36.



protestation so that their actions would not be exploited by others. Hazrat Ali (AS) has stated that:

“...do not desist from speaking the truth and consultation on justice because I don't regard myself to be above making mistake and am not safe from mistakes in my job unless that the God whose authority over me is greater than of me over myself protects me.”<sup>1</sup>

Such a style adopted by the Immaculate leaders (AS) in addition to thwarting the non-immaculate rulers from placing themselves in a position of sanctity and one of above criticism, it would also cause the gap between ruler and people to be filled and be replaced in society with cordiality, sincerity, affection and kindness. In such an atmosphere, people can easily discuss their problems with the officials and express their criticisms and objections.

Imam Khomeini was strongly opposed with protocol and privileges for government officials over the rest of the people. In presenting the visage of the Islamic state, his eminence states:

“When Omar wanted to go to Egypt - because they had conquered Egypt and Islam had become powerful, and had conquered everywhere - when he wanted to enter Egypt there was a camel, himself and another was a companion. One of them would ride on the camel while the other would hold the reins and guide the animal. When he would get exhausted - they had programmed it that way - this one would get astride the camel. When they entered Egypt - according to historical accounts - it was the turn of the slave companion to get astride while the caliph held the reins and was guiding the camel that the people of Egypt came out to welcome him! This is what it meant to be a caliph... but this action was the standard Islamic practice in those days meaning it was Islam's role and even the

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1. Ibid., Sermon 216.

prophet of Islam (AS) acted in this manner; meaning the Prophet of Islam (SA) got astride a donkey as well and another person would sit astride behind him and he would preach to him and educate; he would preach to the person astride the back of the donkey. You give me one example from all these democracies of the ruler of the time whose empire was several times as large as that of Iran; several times as large as that of France; give me an example of one such democratic ruler who behaves in this manner with his slave and asks him to get astride; and there be nothing more than a camel; and there be none of that pomp and glitter. See how any democratic ruler that you name who wants to arrive in a conquered land enters!... the honorable prophet of Islam himself when he was seated in a gathering and wanted for instance to speak on Islamic issues and to deliver a verdict and on all issues, the circumstance was such that when someone would enter from outside, he wouldn't be able to recognize and distinguish which of the men was the Prophet, or who was the sovereign and which one was the subject... even this chair that you have made for me did not exist then; they would sit on the floor. Yes, they would sit on the floor; they would eat their meals on the floor that too those kind of meals. You think they would prepare a sumptuous lunch, lay the table and make such preparations! What was the food of this same person, this same Hazrat Ali whose empire was several times as large as that of Iran? It was a vessel which contained bread made out of barley' and he would seal its lid so that his daughters for instance, didn't add anything to it out of pity such as oil or fat to make it a little bit softer."<sup>1</sup>

Imam Khomeini presented the Islamic state in this fashion that the people became infatuated by it; and offered thousands of martyrs and disabled individuals for the Revolution and for Islam. If God forbid there comes a time when the leaders of society and administrators of affairs behave differently, then know that the Islamic Republic has deviated from its main path

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1. *Sahifeh-ye Imam*, vol. 4, p. 326.

and it can no longer be regarded as being a state that takes steps towards Islam and was of consideration of His Holiness Hazrat Ali (AS) even though on the surface, it claims to be one. If God forbid, the officials and leaders of society follow a path other than that stated by Imam Khomeini for the people that will not be a state for which the people had voted in the first place.

From Imam Khomeini's point of view, preservation of the state and government lies in doing away with unnecessary protocol for society's officials and leaders. His eminence states:

“We must be aware, our nation must be aware that when their gatherings are comprised of people from the middle class and in these gatherings there are no aristocrats and noblemen and monarchists; and in government too we don't have the type of governments in which affluent, capitalist individuals and so forth are present; in the military too we don't have the type of generals and so forth who owned vast properties and multistory apartment blocks - then the country is safe.”<sup>1</sup>

In following the immaculate leaders (AS) in practice, Imam Khomeini did not consider the least sanctity and privilege for himself too. He regarded himself as one of the people and their servant; and this was the reason for his unlimited popularity among the people. We refer to some statements from him on this subject:

“I have fraternal ties with the people of Iran and consider myself to be their servant.”<sup>2</sup>

“I am your servant; I am the servant of your nation.”<sup>3</sup>

“Khomeini kisses the hand of each one of you; and pays his respects to each one of you; and considers each one of you as his leader. I have repeatedly said that I am one with you.”<sup>4</sup>

“God knows that personally I do not consider the least

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1. Ibid., vol. 16, p. 21.

2. Ibid., vol. 5, p. 354.

3. Ibid., vol. 6, p. 49.

4. Ibid., vol. 14, p. 474.

immunity and privilege for myself. If I commit an offence, I am ready to be indicted.”<sup>1</sup>

It wasn't as if Imam Khomeini considered himself to be apparently equal with others but regarded his own job to be more worthy and important from the spiritual angle; rather, this great man truly believed that the worth of the job of many of the common and without political-social titles people were more valuable than his own. It was this consideration that would double the worth of his accomplishments and day by day add to people's love and affection for him. Imam Khomeini fervently hoped that he would be resurrected with the devoted 'Basij' volunteers on the Day of Judgment.

“I always envy the sincerity and devotion of the 'Basij' volunteers and implore God to resurrect me with my 'Basij' volunteers because it is an honor for me to be a 'Basij' volunteer in this world.”<sup>2</sup>

In another instance, he aspires to have his name written in the list of soldiers of Islam:

“Our brothers as well as our sisters - we are all soldiers of Islam; and I am hopeful that in the book which is to include the names of soldiers, they include my name among them as well.”<sup>3</sup>

#### 4. Obtaining political security of critics

By nature, a human being is such that power causes him to become proud, self-centered, arrogant and disobedient. The glorious Qur'an states:

“Nay, verily, man is wont to rebel! As he deems himself to be

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1. Ibid., vol. 21, p. 282.

2. Ibid., p. 194.

3. Ibid., vol. 7, p. 205.

needless!”<sup>1</sup>

On this subject, Imam Khomeini states thus:

“In this Surah that ‘Nay, verily, man is wont to rebel! As he deems himself to be needless,’”<sup>2</sup> This surah is the foremost instance of divine revelation and in the foremost descent of revelation, this verse has been mentioned in this Surah that “Nay, verily man is wont to rebel! As he deems himself to be needless.” It becomes evident that rebellion and being evil are matters that are at the head of all affairs; and for getting rid of evil, one must learn ‘the book and wisdom’, teach ‘the Book’ and ‘the Wisdom’, and purify the soul. This is how a human being is; the psychic circumstance of all human beings is such that as soon as they become wealthy, they become rebellious; as soon as he becomes financially rich, he becomes rebellious to the extent of his wealth; to the extent that he becomes scientifically wealthy, to the same extent he becomes rebellious; to the extent that he reaches to a position, to that extent he becomes rebellious. The supreme and almighty God calls the Pharaoh a ‘rebel’ is because he had become powerful and had no divine objective in him; and this position of power had driven him to rebellion. Those who attain materialist things and attain them without purifying their soul, the greater their attainment the greater will be their rebellion.”<sup>3</sup>

Pride and self-centeredness drives the powerful to where they only consider their own opinion and viewpoint to be right and to view any other thought and idea that is opposed to their viewpoint to be wrong. His Holiness Hazrat Ali (AS) states thus:

“Whichever person that reaches to a position of authority,

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1. Surat al-‘Alaq: 6-7.

2. Ibid., “Nay verily man is wont to rebel! As he deems himself to be needless”.

3. *Sahifeh-ye Imam*, vol. 14, pp. 389-90.

exercises dictatorship.”<sup>1</sup>

On the other hand, human being by nature seeks multiplicity, is avaricious, and is normally not content with what is due to him. Most human beings, if they become powerful invade the privacy of others and commit injustice and oppression to them. For this reason, most people are cautious in their attitude towards the powerful; and unless and until they do not feel one-hundred percent secure, they seldom present their views and criticize the performance of the officials. Therefore, if society's leaders want to have the political participation of people and to benefit from the fruits of their participation and to enjoy their unqualified support on various issues, it is necessary to ensure political security of the people comprehensively so that everybody feels that in their encounter with officials, there is a quarter that supports them. However, if people get the feeling that in their meeting with officials, the government supports the officials, gradually people will become nonchalant in relation to society's affairs while the society's leaders will be deprived of their advice and contribution.

During his administration, Hazrat Ali (AS) in order to guarantee people's political security would use two methods namely: one, meticulous monitoring and constant supervision of actions of his administrators; and two, precise implementation of the law equitably for all people. Here we briefly discuss and examine these two methods:

#### **a. Monitoring and watching over the officials**

In Islam, selection of officials and administrators must be based on two principles of expertise and belief and not on nepotism and ties of kinship, friendship, acquaintance and factional and group affiliations. Nevertheless, society's leaders must not be under the impression that by selecting competent and faithful

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1. *Nahj ul-Balaghah*: Wisdom 160.

officials and administrators, their mission is accomplished; rather, after they appoint an individual, they must constantly and meticulously be vigilant of his performances because each person is responsible and answerable for all tasks that are undertaken in the area of his responsibility. Therefore, if in the area of authority and duty of one of the authorities of society, because of absence of sufficient monitoring and keeping watch one of the persons under his jurisdiction commits a treason, his superior will be a partner in his crime and he will not be pardoned at the Court of the Supreme God and the people as he has been negligent in fulfilling his responsibility. In a letter to Ibne Abbas Hazrat Ali (AS) states:

“Why do you not sever the hands of the idiotic Umayyad dynasty from the lives, properties and honor of the Muslims? Swear to God! If one of your agents commits an injustice and tyranny in one of the places where the sun sets, you and he will share in the burden of its sin.”<sup>1</sup>

In his, covenant with Malek Ashtar, concerning the need for monitoring and keeping an eye, Hazrat Ali (AS) states:

“Thereafter, by sending undercover, honest and loyal agents, keep an eye on the performance of your administrators, because constant covert inspection encourages them to safekeeping and tolerance towards their subordinates. Keep a strict watch over your friends and assistants so that if one of them commits a treason and all of your inspectors present such a report, be content with this amount of testimony and punish him by lashing to the extent of his treason! Thereafter, demean and humiliate him; and put the sign of treason on him; and place the necklace of shame and slander round his neck.”<sup>2</sup>

Although meticulous and constant monitoring of the performance of authorities in order to prevent their

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1. Ibn-e Abel Hadid: *Portrayal of the Nahj ul-Balaghah*: vol. 19, p. 15.

2. *Nahj ul-Balaghah*: Letter 53.

wrongdoings is necessary, but it is not enough; rather, in addition to it, in an Islamic state there must be a place of last resort where people refer to after despairing of all legal sources; where after all the doors are closed shut on them, a door suddenly opens in front of them; and after their cries for help has gone unheeded, there is somebody out there who listens to their cries for help.

Hazrat Ali (AS) tells Malek Ashtar that:

“Specify timing for those who need to call on you so that you attend to their needs personally. For this purpose, establish a public council that all are free to attend. In this council, for God’s sake be humble and keep the military personnel, assistants, your security personnel and guards well away from it so that each person speaks with you openly, fearlessly and without stammer; because I heard time and again from the beloved Prophet of Islam (SA) that, “A nation will never be sanctified and become prosperous unless the rights of the weak is taken with dignity from the potent.”<sup>1</sup>

In the words of the honorable prophet of Islam (SA) a society in which there is no source of reference to firmly and decisively attend to the grievances of the oppressed against the influential, the executives and the powerful, and restore the rights of the oppressed from the oppressors, that society will never flourish.

Imam Khomeini too would ask all government bodies and state officials to monitor the performance, actions and behaviors of the forces under their command and control; and to examine and assess their performance, actions and behaviors. The Great Leader of the Revolution states:

“Provincial governors have a duty to monitor all individuals under their jurisdiction.”<sup>2</sup>

“Today the Legislative Assembly has officially been

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1. Ibid.

2. *Sahifeh-ye Imam*, vol. 16, p. 413.



established. With the official establishment of the legislature, it must reform all affairs. This means that the government that it appoints with full powers, must be a one-hundred percent Islamic government with powers; and the tasks that the government undertakes and similarly, the tasks that are done by the ministries; the tasks done in the provinces must all be monitored and the legislative assembly should demand explanation from them. It should ask them to come and impeach them if they do not perform properly.”<sup>1</sup>

“And again all constituents of the state must monitor the affairs so that the demons cannot once again infiltrate. In government offices, persons who frequent them must monitor their workings meaning like positions of inspection, monitoring and such things so that if they commit a mistake, they do it purposely, they commit treason, the judiciary apparatus is informed so that they are prosecuted.<sup>2</sup> And finally, the government must have full control and choose the right persons for offices in all ministries; and the modus operandi must be a correct modus operandi.”<sup>3</sup>

Imam Khomeini considered the presence of an authority to attend to the grievances and injustices of the people to be necessary; and it should not be such that in an Islamic state a group is oppressed and brutalized while their cries for help are unheeded. His eminence states:

“Appoint pious, knowledgeable and impartial individuals to go to places where these things are committed; to attend to the grievances of people. An office for registering grievances must be opened and the complaints be looked in to. See where the complainant has come from and whether his complaint is right or is not right.”<sup>4</sup>

In Imam Khomeini's view, the guardian jurisprudent and leader

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1. Ibid., vol. 13, p. 49.

2. Ibid., vol. 5, p. 525.

3. Ibid., vol. 6, p. 397.

4. Ibid., vol. 13, p. 438.

of society must supervise over all government offices and state authorities and must prevent treason, corruption, dictatorship, misappropriation, embezzlement of public treasury, injustice and oppression of people. Thus, if God forbid, any form of deviation from macro policies of society occurs or any form of deviation is observed in the top-ranking officials, the guardian jurisprudent has a duty to prevent it; and if God forbid, corruption, misappropriation, embezzlement of public treasury and injustice and oppression of the people occurs on a large scale in society, he is responsible as well.

Imam Khomeini states:

“To the extent that sign of progress is placed on the guardianship of jurisprudent, it is not known to be like it in the rest of the cases that you observe. A person whose morals, piety, nationalism knowledge and action is proven in all respects for the nation, and who is appointed by the nation itself, he monitors to ensure that no treason is committed. The president who is elected by the nation themselves - and God willing from now on they appoint a trustworthy individual - however, in order to make sure they let an Islamic jurist who has spent his life for Islam and has spent his life in the service of Islam to become a guardian to supervise him lest he commits a wrong; although our future president is not one to err, but it is a precautionary measure so that he does not commit a wrong. Our military and gendarmerie chiefs and these top-ranking officers from now on are not traitors; but to make sure, the guardian jurisprudent has been assigned to monitor them - and thus the guardian jurisprudent monitors the sensitive cases and the guardian jurisprudent takes over.”<sup>1</sup>

Thus, according to Imam Khomeini's view, the guardian jurisprudent must prevent dictatorship of the top-ranking officials of the system; he must prevent misappropriation, corruption by the close relatives and embezzlement of the

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1. Ibid., vol. 10, pp. 525-26.

public treasury and oversee the implementation of the law and states:

“The guardian jurisprudential authority wants to prevent dictatorship; not that he wants to become a dictator himself. They are afraid of the robberies being prevented. If the president is appointed with the approval of the guardian jurisprudent or by a person who knows what Islam is all about; who feels the pain for Islam, if it happens then he won’t allow the president to commit a wrongdoing... the guardian jurisprudent supervises to ensure that they implement the law; that they don’t go wrong and not that he wants to have for himself the power to rule; rather, he wants to prevent the governments that after a while in office revert to evil and dictatorial ways - he does not want that to happen.”<sup>1</sup>

“The clergy must have a role; he himself should not become a president. But he must have a role in the presidency; he must control in the sense of having control over a nation; it is a state. The clergy does not want - for example - to head the government; but he has a role in it. If the head of government puts a wrong foot forward, he wants to prevent him from doing so...

The president may be a good human being but it is not stipulated that he be just; the conditions stipulated for the religious jurisprudent do not apply to him. Thus, it is possible that he may want to commit an infringement; he should check him, he should control him. If the head of the military decides to commit treason, he has a legal right to get rid of him, to remove him from his office...

If such a clergyman has a role in government, he will not allow its prime minister, its president to do as they please... wherever he sees an injustice, the clergyman has a role to prevent it; and whenever a bullying occurs, he prevents it; if there is a dictatorship; he thwarts it. If freedom is to be violated, he prevents it. If the government wants to sign an agreement with another government that causes it to become dependent on that

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1. Ibid., pp. 352-53.

one; to become an affiliate of that one; to merge with that one, the clergy prevents it.”<sup>1</sup>

During his lifetime, Imam Khomeini in order to perform the sensitive responsibility of supervision would appoint supervisors. In his letter to Brigadier General Zahirnejad, he states:

**Brigadier General Zahirnejad - Exalted God be with you**

“Herewith, I appoint your Excellency as my representative in the Higher Defense Council. God willing, while performing the assigned duties in this council, you attend to and monitor the various military departments as well and send continual and necessary reports to this person.”<sup>2</sup>

**b. Implementation of the law in an equitable manner**

Supervision over the performance of administrators and officials without implementation of the law in respect of offenders in an equitable manner and supporting the oppressed will not ensure society’s political security; rather, it will add to their audacity and embolden them while it will eliminate the motive for presenting complaints, criticism and objection from the people. The Immaculate Leaders (AS) would implement the law in an evenhanded manner even with regard to their closest companions.

During the time of the Honorable Prophet of Islam (SA) when they sought the advice of His Eminence concerning an aristocratic woman who had committed theft, the Prophet of God (SA) stated:

“O people! Verily, bygone nations were annihilated because when a noble person would commit theft, they would leave him alone; whereas when a downtrodden person would commit

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1. Ibid., vol. 11, pp. 464-66.

2. Ibid., vol. 19, p. 87.

a theft, they would punish him. Swear to God, if Fatima, the daughter of Mohammad commits theft, I shall amputate her hand!”

Hazrat Ali (AS) writes to one of his administrators who had committed treason in respect to the public treasury that:

“Fear God and return the properties of this clan to them - because if you do not do so and God puts me in charge of you, then certainly with this sword - I have sent to hell whoever I have struck with - I shall strike you. Swear to God, if Hasan and Hussein had done what you did, I would not have supported them at all and they would have no effect on my intention so long as I had not restored the right from them and driven away wrong from them.”<sup>1</sup>

In his administration, Hadrat ‘Ali (‘a) in contrast with other leaders who would use their maximum efforts to identify and repress their opponents and hinder people’s objections and criticism, the Imam as against this style, would do his utmost to watch over and monitor the performance of his administrators and executives so that they didn’t commit any injustice to the people in their respective sphere of activity or misuse the public treasury. In case the Imam received any report concerning the wrongdoing of one of his administrators, he would remove him from office; and in case the crime was proven, he would punish him at the appropriate level without making any concessions.

In following Islam’s and the Immaculate Imams (AS) teachings, the great leader of the Islamic Revolution considered everybody to be equal before the law. His eminence states:

“If God forbid, the son of the honorable prophet of Islam (SA); if the daughter of the honorable prophet of Islam (SA) committed a theft, the honorable prophet (SA) would amputate

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1. Moslem: *Sahih-e Moslem*, vol. 3, h. 1688, p. 1315.

his or her hand. It is the law.”<sup>1</sup>

According to Imam Khomeini, the leader and guardian jurisprudential authority are equal and same with others in the eyes of the law and have no privilege over others:

“Islam is the religion of law; even the Prophet (SA) could not go against the law - and he wouldn’t go either and of course he could not do so. God tells the Prophet (SA) that if he spoke a single word of violation, his lineage would be ended. It is the ruling of law. Nobody rules excepting the Divine law. There is no rule for anybody; neither the guardian jurisprudent nor other than the guardian jurisprudent. Everybody acts under the law. All are executives of the law; both the guardian religious jurisprudent and other than the guardian religious jurisprudent - all are executives of the law.”<sup>2</sup>

His eminence declared categorically that he considers himself equal to others before the law and would not accept the least privilege for himself. As stated before, Imam Khomeini remarked that:

“God knows that I do not consider the least immunity, right and privilege for myself personally. If I commit a sin too, I am ready for prosecution.”<sup>3</sup>

It is on the basis of meticulous, constant and continual monitoring of officials by government organizations and headed by the guardian religious jurisprudents supervision and by meticulous implementation of law with regard to all offenders firmly and equitably that corrupt economic practices at the macro level is eradicated; injustice and oppression among the top-ranking officials is done away with and grounds for people’s participation in all of society’s affairs is furnished.

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1. *Sahifeh-ye Imam*, vol. 14, p. 414.

2. *Ibid.*, vol. 10, p. 353.

3. *Ibid.*, vol. 21, p. 282.

### c. Preventing flattery and sycophancy

One of the dangers that threatens officials and those in power is that opportunistic and materialist individuals always surround them and in order to please them and obtain their interests, they engage in flattery and sycophancy of those holding power. Such persons cause the holders of power to become proud, self-conceited, and thus less tolerant of criticism and objection. In this way, forthright, truthful and sincere human beings become isolated in society while self-interested, materialist, egotistic and undeserving individuals occupy important positions of responsibility in society. By showering excessive praise and admiration on officials and leaders, the flatterers and sycophants, they create obstacles in the path of spirit of criticism and questioning reigning supreme in society. Thus, it is necessary for society's leaders to get rid of flattering, profit-seeking, self-interested and materialist individuals who hang around them and not permit them to have a say in society's affairs. It has been narrated from the great Prophet of Islam (SA) that he had stated thus: "Throw soil on the face of sycophants."<sup>1</sup> Throwing soil on the face of sycophants is an allusion to not paying attention to them and that they are driven away from the social scene firmly and with dishonor. However, in every era there is a group who do not shower praise and admiration on leaders of society with the intention of seeking to profit and materialist interests; rather, based on the love and affection they have for officials, they resort to singing their praises and eulogizing them. All the same, they must know that excessive praise and admiration drives those in power and the society to the brink of ruin and destruction. Thus, if they are truly fond of the leaders of society, they must observe a limit while praising any person. A man sang the praise of another in the presence of the honorable Prophet of Islam (SA), His

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 73, p. 294.

Holiness stated:

“Do not make him hear your words, for if you do so, you have destroyed him. If he hears what you have to say about him, he will not achieve deliverance.”<sup>1</sup>

Praise and admiration causes a person to overlook his deficiencies and weaknesses and in this way, it blocks the path to excellence and progress on him. The words of the beloved prophet of Islam (SA) about praise are appropriate and correct because His Holiness did not tell the man not to praise a person inappropriately and incorrectly. When proper and correct praise of others can have such a negative impact on their psyche and causes them to become self-conceited to the extent that they imagine themselves to be flawless and perfect and drive them to the brink of destruction, then think to what extent uncalled for and excessive praise and admiration of those in power can do to make them become proud and arrogant.

In his mystical letter to his son, that perfect mystic Imam Khomeini writes:

“O my son, how good it is that you inculcate yourself and convince yourself of a reality that singing of praise of the admirers and eulogy of the panegyrists how often it has been fatal for a human being and distances him more and more from moral refinement. The harmful effect of eulogy on our contaminated soul shall be a source of misery and being far removed from the Sacred Court of the Truth for us. Perhaps pointing at weaknesses and rumormongering may prove to be useful for treatment of our carnal deficiencies - and it is like a painful surgery that results in curing the patient. Those who with their eulogies distance us from proximity of the Truth are friends who with their friendship harm us like the enemy; and those who think that by pointing at weaknesses, abusive language and rumor mongering are being hostile to us are

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1. Mohammadi Reyshahri, Mohammad: *Mizan al-Hikmah*, vol. 9, p. 82.



enemies who with their actions - if we merit it - are reforming us and are befriending us in the garb of hostility.

If I and you believe in this fact and devilish and carnal ruses allow us to see the realities as they are, then we shall be distressed by the eulogy of the eulogists and the praises of the panegyrists in the manner that we are affected today by the pointing at weaknesses of the enemies and rumor mongering of the ill-wishers. We shall welcome fault-finding in the manner that today we welcome the praises and absurdities of singers of praise.”<sup>1</sup>

Society’s leaders have a duty drive away such persons from their midst so that society gets habituated to listening to the words of truth, criticism and objection and not construe them as insult and humiliation. Hazrat Ali (AS) tells Malek Ashtar that:

“However, the most insidious of your chosen colleagues must be the one who tells you the bitter truth blatantly; and dislikes the task that God dislikes for His apostles... and bring yourself as close as you can to the pious and the righteous; and teach your colleagues not to sing your praise and make you absurdly pleased by enumerating tasks you have not performed for excessive showering of praises brings about arrogance and causes one to become proud.”<sup>2</sup>

Although the Immaculate Imams (AS) were worthy of praise and admiration; and in order that in an Islamic state openness, truthfulness, criticism and protestation were not replaced by praise, eulogy, flattery and sycophancy and so that this didn’t become a formal and general attitude, they would prevent showering excessive praise and admiration on themselves.

One day Hazrat Ali (AS) was giving a speech for his companions. While he was speaking, one of the companions of His Eminence stood up and began to shower praises on him and

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1. *Sahifeh-ye Imam*, vol. 18, pp. 516-17.

2. *Nahj ul-Balaghah, the Sun that does not Set*, translated by Abdol Majid Ma’adikhah, letter 53, p 354 - 355.

eulogize him. In response to him, the Imam (AS) stated:

“Undoubtedly, among the most wretched conditions of society’s leaders in the eyes of deserving people is that they be accused of liking to be praised and their policies of running the country is founded on displaying arrogance; and in truth I dislike this idea from finding its way into your mind that I am inclined to flattery and like to hear my praises being sung. With thanks to God that I am not such a person! However if I was such a person as well I would consider it a humiliation in relation to the praiseworthy God Who is more deserving of greatness. Yes, often after a triumphant clash, people’s palate is sweetened with praise. But I want you that because I have probably been able to repay part of the debt burden I carry in the presence of God and you with the intent of monotheism and to successfully cope with the obligatory duties that I am compelled to perform, not to lavish praises on me; and not speak to me in the manner that is customary while speaking with the tyrants of history; and not keep your distance in the manner that tyrannical oppressors do; and not interact with me with affectation; and do not think that I would be angered if words of truth are spoken to me; and also they think that I demand self-admiration because the one who feels annoyed at hearing the words of truth and proposal of justice, practicing the two becomes more difficult for him.”<sup>1</sup>

In following the Immaculate Imams (AS), Imam Khomeini as far as possible prevents showering of praises and admiration on him. While objecting to Mr. Hejazi who sang the Imam’s praise in his speech, the Imam stated:

“I have the fear of believing what Mr. Hejazi said about me. I fear that with some statements of his and the likes of him, I am overcome with a pride and a decline. I seek refuge in the Almighty and Supreme God from becoming proud. If I consider a standing for myself in relation to rest of human

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1. Ibid., Sermon 216, pp. 246-47.

beings, then this is an intellectual and a spiritual degeneration. While expressing my gratitude to Mr. Hejazi who is an accomplished and devoted orator, but I lament the fact that in my presence he mentioned issues that may possibly make me believe that they are right.”<sup>1</sup>

Also in another instance, he stated:

“I would like to lament Mr. Meshkini. It is enough that we are entrapped by our carnal soul already to such an extent. You must not mention issues that accumulate in our carnal soul and drives us backwards. You pray that we become true human beings; pray that we act on the externalities of Islam; as we have no access to the internalities so that at least we act upon these externalities.”<sup>2</sup>

#### **d. Countering criticism and protestation appropriately**

One of the most important and elementary factors is people's involvement in the political arenas; attracting their participation in affairs of society and responding suitably to their criticisms and protestations. Humiliating, dictatorial and totalitarian stances disheartens the people in relation to the government and the officials while it eliminates their motivation to think, to present views, to criticize and to put forward proposals and also thwarts them from speaking out and expressing their opinions. Criticism and objections are of various types and are driven by various motivations so that each of them must be countered appropriately.

#### **A. Criticism by supporters of the government**

The Islamic Republic is a government that has been established with the unstinted support and backing of the people in a society, in which the majority are pious Muslims, devoted to

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1. *Sahifeh-ye Imam*, vol. 12, p. 343.

2. *Ibid.*, vol. 20, p. 394.

Islam and its radiant teachings. Therefore, the vast majority of the people are sympathetic, well-wishers and advisers of the government. However, this does not mean that while being sympathetic and devoted to the government, they have no criticism, objection, mentioning the deficiencies and having doubts vis-à-vis performance of administrators of affairs and officials. Thus, many of the criticisms, protestations and fault-finding by the people of the society's leaders are undertaken with benevolent and sympathetic intentions or at least there is no reason for their lack of benevolence and sympathy and are not clearly and obviously intended with the aim of opposition and overthrowing the government although in certain instances the well-wishing intentions of the critics are not quite clear. In such cases, the government has a duty to acknowledge the valid and principled criticism and objections and to review its performances. In addition to the fact that at appropriate cases it is necessary for officials to confess to their past mistakes and wrongdoings and in this way attract people's consent, they must not think that confession of mistake lowers their credibility and personality with the people; rather, quite the opposite, acknowledging and confessing to mistakes made raises their credibility with the people. On this subject, Imam Khomeini states thus:

“You should take note of the fact that when God willing, you become head of state and governor, you should get rid of this nature that exists in human beings; and right from now on take note of this fact lest you get afflicted with this enormous ego which is the source of all dictatorships and corruptions. If you see that you have really committed an offence, confess to it. These confessions make you great in the eyes of the people; and not think that confession of wrongdoing lowers your personality. Insistence on wrongdoing causes a person to degenerate considerably. A human being has spoken a wrong word and after he sees that, he has spoken wrong, if he insists on the mistake and seeks to promote his mistake, then this is a very corrupt dictatorship even though it is in a non-dictatorship

form - but it is dictatorship all the same. This continues to where a human being turns out to be a Hitler or a Reza Khan.”<sup>1</sup>

As stated by the Imam, the first step towards dictatorship and despotism is insistence on mistake and attempts at justifying it that will have damaging consequences for the nation and the government. Addressing the leader or the leadership council that succeeds him, the Imam states:

“And you must know and you know that man is not secure from mistake and error. As soon as a mistake or lapse occurs, go back to it and admit your mistake - and that is human excellence - whereas to persist and justify the wrong is a failing and is the act of Satan.”<sup>2</sup>

In cases where criticism and objection is not justified and the critic has made a mistake or erred, society’s leaders have a duty to correct their mistakes as far as possible with good words and reasoning and make people aware of the realities. Hazrat Ali (AS) tells Malek Ashtar that:

“Nevertheless, if your people get the impression that you are unjust, apologize to them openly; and with your explanation conform their impression with the truth for this is a pain towards self-development and a warm-up with people while at the same time it is an apology from you and acknowledgment that they are right.”<sup>3</sup>

Society’s leaders have no right to accuse the critics as soon as some of the criticisms and protestations are wrongful, unwarranted and incorrect; rather, until the motive of individuals is not one-hundred percent clear, they must give the benefit of the doubt to them and enforce the principle of innocence concerning them. Administrators of affairs and

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1. Ibid., vol. 14, p. 93.

2. Ibid., vol. 18, p. 7.

3. *Nahj ul-Balaghah*, translation by Abdol Majid Ma’adikhah, Letter 53, p. 346.

officials must listen to the aggrieved parties respectfully and humbly and think over them. If their criticism is valid, they should review their method and be grateful to God for this blessing as well; whereas if they do not approve of their thinking and idea, they must neither accuse nor castigate them because of the difference of opinion and thought. In his treatise 'Rights', Imam Sajjad (AS) states thus concerning the rights of 'the advice':

"Among the advisor's rights is that you show humility in relation to him and listen to his words. If he speaks truthfully and honestly, you express your gratitude to God, whereas if his words are erroneous, you will not pay attention to them but you will not accuse and castigate him in case you know that he has made a mistake unless he deserves to be accused. In this case, you will not pay any attention to him and you will seek recourse in the power of God."<sup>1</sup>

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The point that needs to be mentioned here is that the vital factor of a free, critical and analytical society is that some of the critics not observe etiquette in their assertions. However, their audacity and misbehavior is never a reason for their enmity and hostility; rather, how often excessive zeal and affection for the Islamic state causes them to lose control and from the intensity of their sympathy, they express their criticisms and assertions either in a harsh and violent language and not observe etiquette in the way that is necessary or because of blamelessness and lack of looking into their difficulties, they become uncomfortable and angry and in this case utter harsh words.

Safiyan says that:

"After Imam Hasan's (AS) peace treaty, we went to see the Imam with Muawiyah. His holiness was seated with a group of people in the front yard of his home. When I reached to him, I greeted him with the salutation of 'As-Salam Alaikum, O the

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1. Majlesi, Allameh Mohammad Baqer: *Bahar ul-Anwar*, vol. 74, p. 8.

faithful who show humiliation!’ The Imam (AS) replied: ‘Salam on you Safiyan! Dismount!’ I dismounted from my horse and leashed the animal. Then I went up to the Imam (AS) and sat down. The Imam (AS) asked: ‘O Safiyan, what did you utter?’ I replied: ‘I said As Salam Alaikum, O the Humiliator of the faithful!’”

Thereafter there was an exchange of words between the Imam and Safiyan about the reason for the peace treaty and Safiyan was convinced. In continuation of the incident, Saiyan says:

“As I was busy in conversation, the time of mandatory prayers approached. On hearing the ‘Azaan’ call to prayers, we got up. At first, the Imam (AS) went to his milkman, filled a vessel with milk, and drank some milk while standing and gave the rest to me. Thereafter we walked towards the mosque. On the way, the Imam (AS) stated: “O Safiyan! What brought you here?” I replied: “Swear to the God that sent Muhammad (SA) with the religion of truth that it was out of friendship and love for you that has brought me here.”

On hearing these words, the Imam stated:

“May there be glad tidings for you, O Safiyan! Verily I heard Hazrat Ali (AS) narrate from the honorable Prophet (SA) that he had heard him state: “My Household and their friends shall meet me at the pond of Kauthar like two index and forefingers that one of them dominates the other.”<sup>1</sup>

Safiyan behaved so conceitedly and audaciously with the grandson of the Prophet of God (AS) and one that the glorious Qur'an testifies to his infallibility and spiritual purity. In spite of this, he claims to be a friend and admirer of the Imam (AS) and the Household of the Prophet (SA) and amazingly, Imam Mojtaba (AS) is so kind towards him, endorses his claim, and gives him tidings of paradise. Thus, it is clear to what extent

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1. Ibid., vol. 44, pp. 59 - 60: This incident has been narrated with slight difference from Imam Baqer ('a) in this very article as well.

following such leaders makes the job difficult for human beings.

Some Shiite scholars of religion do not regard assertions of persons such as Safiyan in relation to the Infallible Imams (AS) as apostasy and violation of the frontiers of justice. In the translation of Safiyan the late Allameh Shushtary states:

“When His Holiness Prophet Moses (SA) despite so many perfections objects to Prophet Khizr when the mystery of his actions weren’t clear to him, it doesn’t matter that Safiyan with all his flaws should object as well. However, after Imam Hasan clarified for him the philosophy of his peace treaty, he accepts and submits to it. Therefore, he is absolved of all criticism and fault-finding.”<sup>1</sup>

If objection to the Immaculate Imam (AS) with such an impudent and impolite tone doesn’t necessitate wantonness and not merit punishment and condemnation, then what about the verdict of criticism and assertion in relation to officials and administrators of society’s affairs.

About tolerating the impudence and misbehavior of some critics and protestors, Hazrat Ali (AS) states thus to Malek Ashtar:

“Furthermore, try to tolerate their ignorance, caustic words and speaking disabilities and put off any misdemeanor and violence in relation to them so that God throws open His embrace of benevolence on you and grants you the reward of His obedience. Whatever you give away, give it away cheerfully; and whatever you withhold, do so good naturedly and with apology.”<sup>2</sup>

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1. Shushtary, Mohammad Taqi: *Qamous al-Rejal*, vol. 5, p. 142.

2. *Nahj ul-Balaghah*, Translation by Abdol Majid Ma’adikhah, Letter 53, p. 362.



### **B. Attitude towards ideological opponents of the state**

A group of critics and protestors are those who based on their belief sought a change in the situation and regime or its submission to their unreasonable demands and use political methods to achieve their aims and objectives. In countering such persons one must say that as long as they don't take practical steps against the government and remained content with political struggles, no physical action must be taken against them; rather, their theoretical and ideological principles must be countered with discussion and reasoning. A perfect example of this group is the Khwarijites at the time of Hazrat Ali (AS). Based on false dogmas and incorrect understanding of the Qur'an, they considered the Imam (AS) to be an infidel and did not regard him to be deserving of being the caliph and leader of Muslims. Based on their own judgment, the Khwarijites would not attend the congregational prayer led by Imam Ali (AS) but they would go to the mosque and create a furor and commotion. They would avail of every opportunity to promote their thinking and ideas and would organize meetings and chant slogans against the Imam's administration. All the same, as long as they did not act against the security of the Muslims and had not taken up arms against His Holiness (AS), the Imam (AS) tolerated them and with logic and reasoning would attempt to attract their interest. Even after the Khawarijites started to engage in an armed revolt against Hazrat Ali's (AS) rule and took away the security of the Muslims by martyring Abdullah Bin Khabaab and his pregnant wife in a horrific manner and after that killed the Imam's (AS) representative<sup>1</sup>, despite all these incidents, the Imam (AS) never started a fight. Initially the Imam cautioned them and with this method was able to guide thirty - two individuals from them;<sup>2</sup> next he sent a person with a copy of the Qur'an in order to invite

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1. Sobhani, Jafar: *Manifestation of Jurisprudence*, p. 652.

2. Ibne A'tham: *Al-Fotouh*, vol. 4, pp. 121-25.

them to the Qur'an but the Khawarijites martyred even him. Despite all of these actions, the Imam (AS) went to war against them only after the Khawarijites had begun the war.<sup>1</sup>

History is replete with instances of the Khawarijites behaving in a very uncouth, harsh, impudent and discourteous manner with the Imam (AS) but in all these instances, Hazrat Ali (AS) behaved tolerantly and patiently with them and did not take a harsh and physical action against them. Here we mention an example of the Khawarijites actions:

“One day the Imam (AS) was sermonizing in the Kufa Mosque for the inhabitants of Kufa. While Hazrat Ali (AS) was speaking, one of the Khawarijites stood up from a corner in the mosque and in a loud voice shouted, ‘No commandment except the commandment of Allah.’ Subsequent to this action, yet another Khawarijite stood up from another corner of the mosque and repeated the same slogan. Thereafter, a group rose to their feet and chanted the slogan with one voice. For a moment Hazrat Ali (AS) waited until the Khawarijites kept quiet; then he stated: ‘Allahu Akbar! These are the words of truth, which guides the wrong. Until the time you are in our midst, you have three rights which is that we will not prevent your entry to the mosque so that you worship God in them; second, is that we shall not halt payment of your wages and salaries from the public treasury; and third is that as long as you don’t start a war, we shall not fight you.’”<sup>2</sup>

The forthrightness of the Imam’s approach with the Khawarijites can be considered as one of the miracles of His Holiness. Although the Khawarijites had shown the ultimate audacity and misdemeanor and caused a commotion and interrupted the Imam’s (AS) speech, however, neither does the Imam (AS) react harshly to them nor does he threaten them; rather, he assures them that as long as they did not continue

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1. Ibn-e Abel Hadid: *Commentary on the Nahj ul-Balaghah*, vol. 2, p. 272.

2 Tabari, Mohammad Ibn-e Harir: *Tabari’s History*, vol. 5, p. 73.

with their political struggle and engage in physical action, they enjoyed total security in the Imam's (AS) administration and possessed all the rights of a Muslim citizen. If a person wanted to encourage and urge the Khawarijites to engage in political struggles, could he have said other than what the Imam (AS) had stated?

Yes, a person who possesses a strong and powerful logic like that of the Imam (AS) is never apprehensive of the propaganda of the likes of the Khawarijites against his administration nor considers it to be against national security. Such an attitude of the Imam (AS) not only did not do any damage to His Holiness's (AS) administration; rather, it finally ended in His Holiness's favor. With his method, the Imam (AS) was able to attract the allegiance of two-thirds of the Khawarijites; to nullify the effect of their speeches on other Muslims; to draw them onto the social scene and to prevent their covert and hidden struggle against his administration. If the Imam (AS) had taken physical action against them before they had started a conflict, he certainly would not have achieved such successes.

Authorities must furnish the grounds so that everyone can present his opinions and views in total security. In an Islamic state, not only are the Muslims free to express their opinions; rather, religious minorities are free to express their opinions as well. Imam Khomeini states:

“An Islamic government is a truly democratic government; and there is total freedom for all religious minorities; and any person can express his beliefs; and Islam has the responsibility to answer to all beliefs; and the Islamic government shall respond to all logics with logic.”<sup>1</sup>

Because of being in possession of a logical and rational backing, throughout history Islam has never obstructed

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1. *Sahifeh-ye Imam*, vol. 4, p. 277.

expression of beliefs of its opponents. Imam Khomeini states thus:

“Freedom of opinion has existed in Islam right from the start; it has been free during the era of our Infallible Imams (AS) and perhaps during the time of the Prophet of Islam (SA) himself. They would speak their minds. We have proof. One who has proof is not afraid of freedom of expression.”<sup>1</sup>

Martyr Motahhari not only does not consider proposition of ambiguities and problems by opponents to weaken the cause of Islam, rather, he reckons it to strengthen the cause of Islam and welcomes it for this reason. His eminence states:

“As opposed to many individuals under no circumstance do I get annoyed by creation of doubts and ambiguities on Islamic issues despite the affection and faith that I have in this religion; rather, deep down in my heart I become happy because I believe - and in my lifetime I have seen with experience that this sacred Divine religion on any of the fronts that it is more prone to be attacked and invaded, manifests itself more strongly, honorably and more splendidly. The fact of the matter is that doubt and ambiguity helps to clarify it. Suspicion is the precursor of conviction while doubt is the ladder to the truth... let them talk, write, hold seminars and criticize so that involuntarily it becomes a means to expose the Islamic realities.”<sup>2</sup>

### C. Facing up to the cynical hypocrites

Yet another group of opponents of the state are persons who do not oppose the government because of a particular viewpoint and belief; rather, they are hostile and inimical in relation to the government because of worldly ambition, self-interest and making the most of the situation. For achieving their objectives,

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1. Ibid., vol. 6, p. 277.

2. Motahhari, Morteza: *Collection of Works*, vol. 19, pp. 61-2.

this group of opponents of the state conceals their real intentions under deceptive slogans and attempt to show that they are well meaning, sympathetic and highly concerned in relation to the government and people. This group is considered as the most dangerous enemy of an administration. In their criticisms and assertions, they don't follow a particular theory and principle; rather, they aim to exploit every incident and happening to the detriment of the administration and by rumor-mongering, spreading lies and cynicisms cast doubts in people's minds vis-à-vis the government and society's leaders. Attitude towards this group differs from the approach with the former group. As far as possible, the first group must be convinced to change their mind with reasoning, logic, admonishment and moralizing or at least foil attempts by ignorant and stupid persons from joining them; but the second group do not abide by any logic and principle so that one can confront them with scientific and rational discussions; rather, the government must lift the mask of sedition, worldly ambition and hypocrisy from their face and disgrace them with the people so that no person is deceived by their hypocrisy. The glorious Qur'an has used the most condemning words about the hypocrites and has exposed their objectives and intentions. The statements of the Qur'an would strike the hypocrites like a bolt of lightning and make them to become uncomfortable and insecure. For fear of being exposed by the honorable Prophet of Islam (SA), the hypocrites always lived in fear, horror and anxiety. In his struggle against the hypocrites, the honorable Prophet of Islam (SA) went as far as to destroy the Zarar Mosque that the hypocrites wanted to use as a base.

The most prominent individual of this group in the era of Hazrat Ali (AS) was Ash'as Bin Fais. He was the governor of Azerbaijan during the reign of Uthman and had accumulated substantial riches for himself. After Hazrat Ali (AS) became the caliph, he removed him from office and summoned him to Kufa. When Ash'as came to Kufa he held a meeting with his

close companions and told them that, “Hazrat Ali’s (AS) letter has made me fearful. I fear he will confiscate the wealth that I accumulated in Azerbaijan. For this reason, I have decided to join forces with Muawiyah.”

His friends told him that, “Death is better for you than to team up with Muawiyah! Do you wish to leave your city, land and people and become one of Muawiyah’s tails?” on hearing these words, Ash’as felt ashamed and changed his mind. From then on, Ash’as joined the ranks of the Imam’s (AS) close companions and adopted the way of sedition and hypocrisy and dealt the greatest blows to Imam Ali’s (AS) administration. How good it would be if Ash’as had linked up with Muawiyah so that in this case, the damage he inflicted on His Holiness’s administration would be far lesser. Ash’as can certainly be reckoned as a factor responsible for the Imam’s (AS) defeat in the battle of Saffein, for starting the devastating battle of Nahravan and for the martyrdom of His Holiness (AS).

Ibn-e Abel Hadid has this to say that, “Ash’as was of the hypocrites of the time of Hazrat Ali’s (AS) administration. Ash’as was the leader of the hypocrites as well in the same way that Abdullah Bin Abi was the leader of the hypocrites in the era of the holy Prophet of Islam (SA).” In ‘Lailatul Harir’<sup>1</sup> when the battle was on the verge of ending in victory of Hazrat Ali (AS), Ash’as gave a speech in the midst of the Imam’s (AS) soldiers and said:

“If the battle continues tomorrow, the Arab shall be annihilated. I don’t speak these words out of fear of death; rather, I am worried about what will happen to our wives and

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1. ‘Lailat ul-Harir’ was the night when on the next day Muawiyah placed the Qur’an on the spearhead. In Arabic, the bark of a dog is referred to as ‘Harir’. From that aspect the night became famously known as ‘Lailatul Harir’ when Muawiyah’s army would wail and moan from the multiplicity of injuries they suffered and Muawiyah’s regime was on the verge of collapse.

children after we are no more.”

When Muawiyah heard about these words, he saw the time was ripe and on the next day, they placed copies of the Qur'an on spearheads and called upon the people to arbitrate.<sup>1</sup>

Most probably, Ash'as's speech was part of Muawiyah and Amru A'sas's plot. Masoudi says that,

“After Amru A'sas and Abu Musa's report concerning arbitration reached Imam Ali ('a), he stated: 'I prevented you from arbitration; but you opposed me; see the consequence of your action! Swear to God! I know the person who instigated you to oppose me and if I want to I can apprehend him; but God Almighty is above him.'”

After narrating this subject, Masoudi adds: “The person that the Imam (AS) was referring to was Ash'as.”<sup>2</sup>

The Commander of the Faithful (AS) tried hard to enlighten and guide the Khawarijites. He sent several important personalities to engage in dialogue with them. He repeatedly engaged in dialogue with them personally and responded to their skepticisms etc... in one of the dialogues that he engaged in with the Khawarijites, they told him that, “By accepting arbitration, we have committed a great sin and have repented for this sin in the presence of God; you repent as well so that we return to your fold.” The Imam (AS) stated: “I repent to Allah for all my sins.”

With these words, the Khawarijites accompanied with Hazrat Ali (AS) returned to Kufa. After the Khawarijites arrived in Kufa, it was rumored that the Imam (AS) had reverted from arbitration considering it to be misleading and is waiting for an opportunity to go to battle against Muawiyah. In this circumstance, Ash'as came to meet with His Holiness and said: “People say that you regard arbitration to be misleading and

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1. Muzahim, Nasr Ibn-e: *The Event of Saffein*, p. 481.

2. Masoudi: *Murawaj al-Zahab*, vol. 2, p. 403.

adherence to it as infidelity.”

On hearing these words, the Imam (AS) gave a speech to the people stating:

“Whoever has said that I have reverted from arbitration has told a lie; and whoever considers it to be misleading is astray himself.”

After this speech, the Imam left the mosque and went to his own military camp and thus began the Battle of Nahravan. After narrating this incident, Ibne Abel Hadid says:

“Ash’as was the source of every wrong and corruption that occurred in the Commander of the Faithful’s administration. Were it not for his controversy about arbitration, the Battle of Nahravan wouldn’t have taken place; the Leader of the faithful (AS) would have dispatched them to Syria and conquered Syria.”<sup>1</sup>

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“Ash’as was a person who refused to bear witness in favor of the Leader of the Faithful (AS) on the issue of jurisprudential guardianship and His Holiness (AS) cursed him so that he departed from this world as one who had died in the Age of Ignorance.”<sup>2</sup>

A lot has been said about Ash’as and his treasons such that what has been mentioned previously is only a part of it.

Despite his immense tolerance and patience, Hazrat Ali’s (AS) attitude towards Ash’as was extremely caustic and hard-hitting which is perhaps unprecedented in the Imam’s (AS) approach. When the Imam (AS) was speaking to the people in the Kufa Mosque, Ash’as objected to the Imam (AS) saying, “O, the Leader of the Faithful, these words are to your detriment and are not to your benefit.” In reply to Ash’as, the Imam stated:

1. Ibn-e Abel Hadid: *Commentary on the Nahj-ul Balaghah*, vol. 2, p. 279.

2. Shushtary, Mohammad Taqi: *Qamous al-Rijal*, vol. 2, p. 160.



“How do you know what is to my disadvantage or to my advantage? God’s damnation and the damnation of the cursors be on you! O you hypocrite, son of infidel! Swear to God, once during the era of infidelity and another time in the era of Islam you became a slave and in none of the two eras your wealth, position and origin was able to free you from bondage. One who guided the swords towards his own clan and hurled them towards death deserves to be called an enemy by his close relatives and not to be trusted by strangers.”<sup>1</sup>

Taking into consideration Ashas’s past record, the reason for the Imam’s (AS) harsh and hard-hitting reply becomes clear. Ash’as was not a person to protest out of sympathy and well-wishing or object out of ignorance and error or like the Khawarijites aim to weaken the Imam’s administration on the basis of false beliefs; rather, because of worldly ambition, he intended to sow discord and division among Hazrat Ali’s (AS) companions at every opportunity with his speeches and to urge them to revolt against His Holiness (AS). Such a person does not abide by any particular logic and principle in order that he can be responded to with reasoning; rather, there is no alternative except to expose his true visage to the people and discredit and disgrace him in society so that nobody is deceived by his words.

The point that one must take note of in the Imam’s attitude towards Ash’as is that Hazrat Ali (AS) despite all the treachery of Ash’as and despite all the damage he did to his administration and problems that he created, yet he was only content with exposing his nature with this forceful speech and never intended to exile, imprison or to slay him. Ash’as enjoyed equal rights with the rest of the Muslims in Hazrat Ali’s (AS) administration and the Imam (AS) never placed any restriction on him.

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1. *Nahj ul-Balaghah*: Sermon 19.

### **People's duty in safeguarding freedom**

The maximum duty and responsibility of safeguarding freedom rests with the people because the nature of power is such that it involuntarily draws a human being to despotism, egocentricity and megalomania; and it is the people who must secure and safeguard their legitimate rights and freedoms in relation to the rulers.

Experience has shown that even leaders who have come to power through free elections and with the votes of the people have gradually succumbed to the spirit of megalomania and distanced themselves from the people. Thus, people must always be involved and not neglect to monitor the performance of the leaders and officials for a single moment.

A society that demands democracy and freedom must be sensitive to violation of others' rights - even of those that are opposed to them. They must know that silence in the face of violation of other's freedom is to the detriment of all concerned and paves the way for violation of their rights as well.

At a time when democracy has not been institutionalized in the culture of a society's people and has not entered the daily lives of the people, even with change in governments and replacement of rulers too, society will not move towards democracy. This is because people become habituated to submissiveness and breeding dictators; and with their actions and behaviors, they pave the way for dictatorship and egocentricity.

Many people opine that only engaging in struggle against self-interested regimes is not enough because in case of people's readiness to accept dictatorship, with the fall of one self-centered government, another self-centered government will take over. Society's culture must be in such a manner that each person accepts the right of others to think, reflect, express opinion, criticize and protest; and it must not be such that each person only accepts the right of expression of opinion only for his own supporters while always aiming to suppress their

opponents with undemocratic means. Society's culture must be shaped in such a way that intervention in society's affairs and expression of views by any person is regarded as a value and is respected.

A freedom-loving human being must state his criticisms and views calmly, rationally and with poise and strongly abstain from anger, violence, disparaging remarks, taunting, slander and accusations. Even if others speak to him harshly and angrily, he must maintain his composure and with control over his nerves and with reason and logic respond to their criticisms because conflicts and disputes in society will lay the groundwork for dictatorship and denial of freedom. Moreover, one can never influence the thoughts and ideas of others with anger, altercation and violence. Society must reach to the opinion and belief that there is no need for conflict, quarrel and acts of violence in order to prove the words of truth; rather, one can defend one's right better with calmness and composure. Shiite history is the best testimony as to how the word of truth has influenced people under the most intense of pressures and onslaughts.

A society that seeks freedom must abstain from misusing freedom and drive away those that exploit freedom so that there is no excuse for denial of freedom.

Of the most important points for securing freedom is to grant respect to the beliefs and sanctities of society. Insulting the sanctities of the people incites the wholesome feelings of the people against the perpetrators of insults; and people come face to face with them and demand that their freedom be restricted and denied. One must know that all indices of participation of people in political affairs and the positive features of democracy exist in the teachings of Islam in the best possible manner; and there is no need to remove religion from the political scene in order to achieve freedom and democracy.

Freedom - loving individuals must know that one can reach to the highest stages of participation and democracy from the

platform of religion. For this reason, it is proper that instead of attacking the sanctities of people and making attempts to eliminate religion from the political scene and administration of society, they undertake to explain the principles of theocracy; and to summon people to freedom, liberation and political participation from the platform of religion. It is in such a circumstance that democracy shall benefit from the strong support of faith and beliefs of the people. We witnessed its results and fruits in the Islamic Revolution.

Supporters of freedom must strive to eliminate accusations of irreligion and atheism and accusation of disregard for sanctities of people leveled at them; and by seeking recourse in the words of the Immaculate Imams (AS) show to the people that they are in fact the true followers of Islam and of Hazrat Ali (AS).

In order to attain religious democracy and establish freedom in society, people must strictly abstain from sanctifying officials and leaders as superhuman individuals; showering excessive praise and admiration on them; and by using unique titles and nicknames give them special importance etc... because such a style results only in leaders having an exaggerated image of themselves and causes the officials to lose their toleration of listening to truths and realities so that speaking the truth, criticism and objection becomes unpalatable for them.

As mentioned previously, although the Infallible Imams (AS) were superior to others in terms of spiritual positions and held a position that cannot be attained by ordinary human beings, nevertheless, they would teach Muslims so that they behaved like ordinary human beings with them and never considered any privilege for themselves.

In following the Immaculate Imams (AS), Imam Khomeini also would repeatedly ask the people and officials to avoid praising and flattering him and not engage in unnecessary formality and protocols for him of which some examples were mentioned earlier on. In a critical and objecting tone, the great

leader of the Revolution told the journalists that:

“What important news is this that so and so has met with so and so? It is not at all worthy of being called ‘news’, leave alone calling it important! To say that every day I met such and such person and what I told him is repetitive. After all every day I mention an issue; and they keep on repeating what such and such person has said. Of what use is this? I say about myself that my photograph must never be printed on the first page of newspapers.”<sup>1</sup>

The free society must be such that sycophants and flatterers have no base among the people so that few resort to such ugly and disgusting ways as was a way of life during the Shahs’ regime. However, unfortunately after the Revolution, because of the love and affection of the people for the authorities, to some extent exaggeration, praise and flattery became fashionable. Muslims must know that not only Islam has not instructed running behind motorcade of administrators, sanctifying them and considering leaders as super humans; rather, as stated by Hazrat Ali (AS) these practices with regard to administrators and rulers is prohibited by Islam and results in chastisement in the hereafter and humiliation and subjugation in this world for the people. Expressing feelings for administrators must be in such a manner that it does not demean and belittle the people and strengthen the spirit of egotism in the administrators.

To put it briefly, unless the culture of society is not reformed, people are not rescued from ignorance and misinformation and patience, tolerance and steadfastness do not rule over the social environment, the foundation of freedom will not be laid in society.

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1. *Sahifeh-ye Imam*, vol. 19, pp. 352-63.

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# **Theocracy and Rights of Minorities according to the Political Theory of Imam Khomeini**

*Sharif Lakzai*

## **Introduction: presentation of subject and definition**

The term 'minority' that is usually accompanied with lingual, national, religious and sectarian characteristics encompasses that set of humanities group that occur in marginalized conditions and a circumstance arising from quantitative and at the same time social, political, economic and cultural inferiority.<sup>1</sup> Perhaps, one can say that minorities are often recognized with the attribute that among social classes, they enjoy a lower position and standing vis-à-vis the majority from political, cultural and economic aspects; and it is either not possible or it will be extremely difficult for them to attain certain positions and standings in a particular society. In other words, their participation in administrative machinery is accompanied with limitations and hindrances.

Some opine that nowadays the term 'minority' does not mean in the former restrictive sense and has a wider application. According to this view, the modern definition of minority is not a numerical and quantitative one; rather this term is used for all groups that live in a society. However, because of national,

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1. Cf. *Geopolitics of Minorities*, translated by Cyrus Sahami, p. 5.

religious, sectarian, lingual affiliations, conduct, and habits, they are distinguished from other individuals of that society. It is possible that such individuals are subjugated or are marginalized from participating in political affairs of society or are discriminated and their rights infringed upon, but if they also have a type of collective and social feeling, they are considered as minority.<sup>1</sup>

In fact, this collective feeling occurs more often when some individuals who possess similar beliefs and attachments are pressurized and discriminated against by the ruling majority or are denied attaining political positions and posts.<sup>2</sup>

Nowadays, the subject of minorities - according to any of the accepted definitions - is extremely important and many governments are directly and closely involved with this issue and are pressurized by the global community and human rights organizations - for whatever reason - to deal with the minorities present in their respective countries with greater tolerance and equality. It is possible that a group supposes that the subject of minorities is basically not an issue in some states because the ideological state<sup>3</sup> is not affiliated to a single religion and sect for one to speak of minority rights except political minority. This of course is a claim that can be seriously contested especially from the sum of discussions that are taking place in western societies; one can guess that this discussion is they have presented the focus of attention of western ideologues and thinkers and new interpretations of this discussion.<sup>4</sup>

1. Khubruy Pak, Mohammad Reza: *Minorities*, p. 2.

2. For studying the characteristics and definitions of minorities see: Ibid., pp. 117-40.

3. By ideological state here is meant the form of governments that consider themselves obliged to defend an ideological thought and dogma. For more information and study of a point of view on this subject refer to: *An Introduction to Political Sociology*, Bashiriyeh, Hossein, Era of Islamic Republic, first edition, 2002.

4. For a specimen see discussions in the following source: Sayyid Ali Reza Hosseini Beheshti, *Theoretical Foundations of Politics in Multicultural*



To discuss the subject of minorities is in fact to think on a fundamental, national and international issue that has a lot of impact on society and political system.

In this research by minorities is meant religious and sectarian minorities. Considering that inevitably, minorities constitute a section of the population of every country and their ethnicity, language, religion, sect differs from that of the majority, a part of the policies, and laws are formed in connection and cooperation with them. One cannot find an unmixed country from racial, linguistic, religious and sectarian aspects; rather, boundaries have become so intertwined and interwoven together that to speak of a country that is perfectly and in all respects homogenous resembles a satire than a reality.<sup>1</sup> Thus, this issue becomes extremely important and governments - especially theocracies - must find a solution to this issue.

This discussion is especially significant in theocracies, especially the political system of the Islamic Republic of Iran which is established on the theory of guardianship of the religious jurisprudent because in religious and theological texts

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*Societies*, first edition, 2001. This book points to the subject of cultural diversity from a particular dimension. The main question that the chapters of the book seeks to find an answer to through critical examination of the famous debate between liberals and socialists is the moral principles of political decision-making process in modern societies that are numerous in cultural terms. This diversity in turn offers different definitions of the 'self' and meets the demands arising from diverse cultural identities. On this subject study of discussions of Will Kimilka that has dealt on the issue of minorities and cultural diversities more directly and thoroughly is recommended by this source. He has presented novel deductions of this subject that can be discussed and examined thoroughly in their own place. For more information, refer to article from Kimilka entitled "Justice and Minority Rights."

1. This issue together with the subject of globalization and telecommunications industry and the phenomenon of the internet, will probably create a new dimension on the subject under discussion and will transform the definition of 'minorities'.

this discussion has since long been of consideration and views have been expressed about it. Similarly, because the majority of the people of Iran are Muslims and thus their relationships with the government is of another material that distinguishes it with relationship of minorities with the government. In addition to these, considering that the political system of the Islamic Republic of Iran has always been questioned, called to account and pressured in this regard, it is essential that the unthought-of angles of this discussion are deliberated and examined so that a unified approach and consensus - at least in practice stage - is created on this subject.

This article does not attempt to answer this challenge and problem; and to defend the policies and ideas proposed on this subject and is actually an archaic investigation of the second-class type and not a first class and advanced research. For this reason, this article aims to examine a part of the discussions referred to in the idea of Imam Khomeini. Evidently, this article leaves the answer to the deficiencies and the defense of beliefs and policies to the experts and specialists.

However, the question that is of consideration of this article is that in religious democracy, what rights and powers have been taken into account for minorities (religious minorities such as Zoroastrians, Jews, Christians and sectarian minorities such as the Sunnis)? What is the scope and expanse of these rights? Is it only concerned with their faith and religion or in other words with their acts of worship or it embraces political, economic and cultural sectors as well? The question can be posed in this manner that whether in a religious democracy and in a theocracy and according to the political and administrative theory of Imam Khomeini are the religious and sectarian minorities being dealt with equitably? If the answer is in the affirmative, whether this equality exists in all social spheres and dimensions or it embraces particular sectors? Do they possess equal freedom in private and public spheres and social, political, religious, economic and cultural life or that equality

and enjoying these spheres for Muslims and non-Muslims is affected by contraction and expansion?

This article examines this important concept in political thought of Imam Khomeini and explicitly this hypothesis that in the democracy of Imam Khomeini's point of view which has its origins in religious texts and stipulations, certain rights and powers have been taken into consideration for religious and sectarian minorities such as immunity and security, freedom of religion and performing acts of worship. Freedom of belief and expressing opinion etc... actually the hypothesis refers to this basic point that in a theocracy religious and sectarian minorities possess equal and extensive rights and privileges in relation to Muslims; and in the practical and implementation stage of legal articles, there won't be any discrimination between Muslims and non-Muslims - and this point has been mentioned in the constitution of the Islamic Republic of Iran as well. Article twenty of the constitution states:

“All individuals of the nation including women and men are under equal protection of the law and are in possession of all human, political, economic, social and cultural rights within the scope of the commandments of Islam.”

Alongside the main previously mentioned hypothesis, a competing hypothesis has been put forward as well which is that in the system of democracy of religion rights of religious and sectarian minorities have been breached in various instances. In other words, in non-religious states, rights of minorities are guaranteed and they are treated equitably and not in theocracy.

Evidently, the oral statements of Imam Khomeini have been uttered in specific situations and it is likely that they do not have the twist of technical and complex jurisprudential and fundamentalist subjects. However, the value of all of Imam Khomeini's statements including both his oral and written statements has been assumed in this research on par with his fundamentalist and jurisprudential discussions and are equally valid.

In this article, religious democracy refers to two basic elements meaning consent of God and consent of the people. In fact, the political system of Imam Khomeini's point of view on one hand focuses on the acceptance and welcoming of the people and in other words, utility of the political system rests with the people; while on the other hand, it refers to God's consent and commandments of religion and bases the political system on those things which God has decreed for mankind. For this reason, the term 'democracy of religion' emphasizes these two basic and important elements and subjects in the thinking of Imam Khomeini - meaning the subject of people and the subject of religion.

### Question about the minorities

The oral discussions of Imam Khomeini concerning minorities have been stated mostly at the height of the victory of the Islamic Revolution and in reply to questions posed by various journalists who interviewed him. Although before that in his jurisprudential discussions too he had spoken on the subject of non-Muslims paying tribute to Muslims but here he is more of a monitor overseeing social and public issues, which shall be discussed. One of the prominent points of interest to the foreign journalists was the question of situation of minorities after establishment of the Islamic republic system. While replying to their queries, Imam Khomeini has stated in detail his point of view on this subject.

In Imam Khomeini's philosophy, in the Islamic republic system, minorities enjoy equal rights and full respect just as the rest of the individuals:

"They are equal with the rest of the individuals of Iran in all things and their rights are granted on the basis of the laws. They enjoy comfort, welfare and freedom in the Islamic state."<sup>1</sup>

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1. *Sahifeh-ye Imam*, vol. 11, p. 390.

In reply to a question whether in the Islamic Republic religious minorities have any standing or not, while mentioning that in the Shah's regime minorities were not treated better than Muslims, he states:

"We naturally accord the most respect to the religious beliefs of others after the fall of the dictatorship and establishment of a free regime.<sup>1</sup> Islam has granted freedom to religious minorities more than in any other religion and doctrine. They too must enjoy the natural rights that God has granted to all human beings. We shall look after them in the best possible manner. In the Islamic Republic, Communists are also free to express their opinions."<sup>2</sup>

In the political theory of Imam Khomeini levels and layers of freedom of minorities is of various types and embraces different spheres including: freedom to perform rites and ceremonies of worship, freedom of beliefs and thought, freedom of expression and right to express opinion, political freedom (right to vote and right to be elected to public and political positions, personal and private freedom etc...<sup>3</sup> On studying a part of these freedoms,

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1. Ibid., vol. 4, p. 3.

2. Ibid., pp. 363-64.

3. About the commitments and duties of the state and Islamic society vis-à-vis minorities or in other words, protected non-Muslim people that have been discussed in this research, one can point to the following instances: 1- all round immunity; 2- freedom of religion; 3- freedom of housing; 4- judiciary independence; 5- freedom of economic activities and commercial relations; 6- right to implement and recognition of civil rights; 7- freedom of social activities. These are the sum total of duties of the Islamic government. However, there are some commitments too that are considered prohibited and are as follows: 1- Endangering the sovereignty and independence of the government and the Islamic society; 2- Commitments contradictory to principle of domination; 3- commitments in conflict with Islamic commandments; 4- commitment in conflict with the law of contract of protected non-Muslim people; 5- contracts opposed to principle of freedom of Islamic invitation; 6- commitments that breach territorial integrity. For detailed account of the enumerated instances see; Minority Rights Based on Contract of Protected Non-Muslim People (Dhimmi): Abbas 'Ali Amid-e

the rights of minorities in a religious democracy and the theory of Imam Khomeini will become clear and the relationship established between religious democracy and minority rights. The research work infers that he reckons that Muslims are entitled to the above-mentioned rights and freedoms; and the article discusses whether Imam Khomeini considers non-Muslims and minorities to be equal with Muslims with regard to these type of freedoms as well or he thinks otherwise and considers certain restrictions for them.<sup>1</sup>

### Safety and security of minorities

The question of security is among the most obvious of rights concerning minorities; because it is a base for rest of rights. If the life, property, honor etc... of minorities is not protected and secured, it is not feasible to speak about their other rights as well. Thus, with a view to what has been mentioned in the religious texts, it is forbidden to violate and to transgress the personality, life, honor and property of non-Muslims.<sup>2</sup> Imam Khomeini states thus on this subject:

“No person has the right to commit an aggression on these Jews in Iran; they are under the safe haven of Islam and Muslims; neither on the Jews nor on the Christians - those that follow the universal religions.”<sup>3</sup>

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Zanjani: *Examination of Some Aspects of Concepts of International Law from Point of View of Islamic Jurisprudence*, pp. 131-298, 1991.

1. For this purpose see another article by the author entitled “Theory of Political Freedom from the Viewpoint of Imam Khomeini” in which the subject of political freedom from the viewpoint of Imam Khomeini has been discussed in detail: *Hudur Quarterly*, no. 37, autumn 2001. In fact, he considers freedom to be a divine trust, which is a right of humankind, which is used for achieving excellence.
2. Cf. Ibn-e Babouyeh, Abu Ja’far Mohammad Ali Bin Hussein Sheikh Sadouq: *Man la Yahzor ul-Faqiyah*, vol. 4, p. 124.
3. *Sahifeh-ye Imam*, vol. 5, p. 251.

By universal religion is meant the religions that are officially recognized by Islam and consist of the three Jewish, Christian and Zoroastrian religions. It is understood that in Islamic and religious thought, all human beings have the right to life and is inviolable. Verses of the Qur'an are clear proofs of this subject:

“Forbiddeth not God unto you regarding those who have not made war upon you in the matter of (your) religion and drove you not out of your homes, that ye show them kindness and be just unto them; verily, God loves the just ones.”<sup>1</sup>

“Only doth God forbid you regarding those who made war upon you in the matter of (your) religion, and drove you out of your homes; and aided in your expulsion that ye make friends of them; and whosoever makes friends of them, these are the unjust ones.”<sup>2</sup>

The specific reason for revelation of the aforesaid verses and indications present in the verses themselves is reference to the polytheists and idolaters and it classifies them into two groups namely: a group who were at war with the Muslims and would cause them trouble while they would not desist from any kind of sabotage; and another group who were willing to live in peace and harmony with Muslims. The previously mentioned verses prohibit friendship and affection with the former group while permitting bond of friendship and affinity in relation to the latter group. Thus, those who establish ties of friendship with the former group are considered unjust whereas it places the latter group among the righteous and the just. Thus, some commentators have concluded from the previously mentioned verses that whereas concerning the polytheists and idolaters, such is the Divine Command, concerning the followers of the scriptures the former holds true.<sup>3</sup>

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1. Surat al-Mumtahanah: 8.

2. Ibid. 9.

3. Nasser Makarem Shirazi: *Message of the Quran: Tafsir-e Nemuneh*, vol. 10, p. 386.

From the above verses, similarly a general principle about relations of Muslims with non-Muslims has also been deduced which is not confined to a particular time and location and that is Muslims have a duty to adopt a conciliatory approach towards any individual, group, populace and country that is not hostile towards Muslims, that does not rise in revolt against Islam and Muslims and that does not assist the enemies of Islam and Muslims whether they are of the polytheists or followers of the scriptures. Even if a populace or country is in the ranks of the enemies and changes its stance, Muslims must accept them and not be inimical towards them; and in any case, the yardstick is their current situation.<sup>1</sup>

In his theological discussions, where he enumerates the conditions of the 'Ahle Dhimmi' protected non-Muslim people, Imam Khomeini points to certain instances where in case of adherence of the minorities to those confines, they live in complete security and no person has the right to object to them as well. Some of those conditions include: they do not engage in something that is contradictory to security such as deciding to go to war against Muslims or assisting the polytheist; to abstain from those things that the Muslims consider shameful and forbidden such as partaking alcoholic drinks, committing adultery and eating pork; do desist from marrying their close relatives; to accept implementation of decrees of Muslims in instances such as discharge of obligations of individuals and likewise, abstaining from sins; and not facilitate the botheration and distressing Muslims by stealing and giving refuge to spies of polytheists and espionage by them and...<sup>2</sup>

1. Ibid., p. 387.

2. Khomeini, Ruhollah: *Tahrir al-Wasilah*, vol. 2, Al Mostashriyat al-Saqafiyatal Jomhuriyat al-Islamiyat al-Iraniyat bi-Damascus, Syria, 1987, pp. 456 & 457. According to Islamic stipulations non-Muslim individuals could under special conditions officially ally with Muslim nation and form a unified nation. This type of citizenship that was undertaken in form of a contract is called 'Dhimmi' (protected non-Muslim people) in Islamic



With regard to the above stated themes, ‘the Dhimmis’ protected non-Muslim people can undertake some of the enumerated instances without making them obvious in their own private lives.

Of course, this style and behavior with minorities and their protection and security among Muslims has been adopted from the behavior and conduct of the Honorable Prophet of Islam (SA) and the ruler of justice and freedom Imam Ali (AS). Based on the narrated traditions of His Holiness the prophet of Islam (SA), causing trouble to ‘Dhimmi’ protected non-Muslim people is on par with enmity with His Holiness the Prophet (AS). In particular, he is quoted to have stated that: “One who troubles the ‘Dhimmis’ is not my devotee.”<sup>1</sup>

In addition, “Any person who distresses a ‘Dhimmi’ has

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jurisprudence. Those persons who signed such pacts with Muslims were called ‘Dhimmis’. The special conditions agreed upon by the Islamic jurists are as follows:

1. Persons who signed the ‘dhimmi’ pact must be followers of one of the three Zoroastrian, Jewish and Christian faiths and should be ‘followers of the scriptures’ according to jurisprudential terms.
2. They must abstain from any sort of plot and hostile acts that caused anxiety and commotion and endangered the general security of Muslims.
3. If ‘Dhimmi’ individuals had differences that needed filing a case, if one of the sides is a Muslim then they must abide by the judicial and penal laws of Islam whereas if both sides are non-Muslims, they were free either to their own legal attorney in accordance with their own faith or to refer it to an Islamic tribunal in accordance with Islamic tenets.
4. In accordance with the ‘Dhimmi’ pact, the parties to the contract must pay an annual ‘Jizyah’ tax to the Islamic government. The mode and amount of it is determined and specified with the mutual consent of the parties in the text of the contract. These types of persons are officially regarded as citizens of the government of Islam and the Islamic state is responsible for supporting them and from the point of view of the law, they possess joint rights. See : *Religion, Philosophy and the Law*, Mostafa Mohaqeq Damad, with the efforts of Ali Dehbashi, pp.528-29.

1. As narrated by Abbas ‘Ali ‘Amid Zanjani: *Rights of Minorities*, p. 138.

distressed me.”<sup>1</sup>

In Hazrat Ali’s *Nahjul Balagha* there are valuable themes concerning security and protection of minorities in Islamic lands and among Muslims. On this subject, Imam Ali (AS) makes explicit recommendations and emphasis. In one instance and while rebuking Muslims for the lack of assurance of security of religious minorities, he states:

“I have received confirmed reports that aggressive men have attacked the women of that territory - some of whom were Muslims and some others were religious minorities and protected ‘Dhimmis’ - and have forcibly removed their ankle-rings, bangles, necklaces and earrings; and the women could do nothing except to lament, wail, and plead. Moreover, the aggressive enemy without suffering any injury and without shedding a drop of blood has returned with the booty safe and sound to their respective bases. Swear to God that this report is so bitter and unbearable that if on hearing this catastrophe a Muslim was to die of grief, not only would he not be blamed, rather - from my point of view - it would be a perfectly natural and acceptable reaction.”<sup>2</sup>

In Letter 51, he has severely criticized attacking properties of Muslims and minorities but adds an exception to it:

“...and never lay your hands on the wealth and properties of any of the people - from the devoted Muslims to minorities under protection of Muslims - except horses and weapons that have been used in aggression on Muslims.”<sup>3</sup>

#### Freedom of religion and performance of rites of worship

Concerning the performance of religious and social obligations and security in this regard, Imam Khomeini

1. Beyhaqi: *Al-Sunan al-Kubra*, vol. 9, p. 205.

2. *Nahj ul-Balaghah*: Sermon 27 as narrated by Abd ul-Majid Ma’adikhah; *Aftab Dictionary: Comprehensive Dictionary for the Concepts of Nahj ul-Balaghah*. vol. 4, first edition, p. 2114.

3. Ibid.

considers religious minorities in a theocratic system to be free to engage in all rites of worship and social obligations and opines that:

“All religious minorities in Iran are free to perform their religious and social obligations; and the Islamic state considers itself responsible to defend their rights and ensure their security – and they too, like the rest of the Muslims people of Iran are Iranian and are to be respected.”<sup>1</sup>

On this subject, while endorsing freedom of minorities to engage in religious and social obligations and ceremonies, Imam Khomeini considers the government to be also responsible to safeguard their rights and guarantee their security. On this subject, in another instance in response to the question that whether the Islamic Republic will allow other religions to perform their religious affairs freely and openly, he states: [Presented by: https://jafrilibrary.com/](https://jafrilibrary.com/)

“In Islam all religious minorities are to be respected. They have all the freedom to perform their religious obligations. We are not inimical towards any human being. They are Iranians and like the rest of the Iranians possess all the rights.”<sup>2</sup>

On the subject of religious freedom, freedom to perform religious obligations and ceremonies, of minorities, as was mentioned previously, it has been accepted by the vast majority of Islamic theologians including Imam Khomeini. In this regard, there is no compulsion whatsoever for their conversion to Islam by any person. Basically, of what benefit is a religion that is imposed by compulsion and coercion on human beings? In addition, in the glorious Qur'an, God Almighty has censured such methods because in the Qur'an we read quite explicitly that:

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1. *Sahifeh-ye Imam*, vol. 4, p. 441.

2. *Ibid.*, vol. 5, p. 424.

“There is no compulsion in religion; indeed truth has been made manifest distinct from error...”<sup>1</sup>

The verse wants to reject imposition of religion and any type of faith because religion is a series of scientific teachings that culminates in practical teachings. Faith and belief are affairs of the heart that cannot be accessed with compulsion and coercion. If faith is merged with compulsion, it has an effect on practices as well - and an imposed practice is worthless.<sup>2</sup> Similarly, according to some commentators, the verse rejects and forbids imposition.

*First*, rejection: that most of the rationalistic philosophers of Islam have chosen meaning that God almighty has not established faith on the basis of compulsion, imposition and coercion; rather, He has based it on free will and authorization as it commands in another verse that:

“And if hath willed, thy Lord verily all those who are in the earth would have believed, all of them (together); wilt thou then compel people against their will to become believers?”<sup>3</sup>

*Second*, prohibition: this means that you should not compel a person to convert to Islam because imposed faith has no credibility and rather, imposed infidelity has no credibility as well<sup>4</sup> and ‘Jizayah’ (head tax imposed on all non-Muslims living under protection of an Islamic government) must be taken from them. Other verses also endorse this issue. Therefore, one cannot say that the prophet of Islam (SA) would coerce people towards happiness and paradise as this matter is basically in conflict with the open call to monotheism of

1. Surat al-Baqarah: 256.

2. Tabatabaie, Allameh Mohammad Hussein: *Al-Mizan fi Tafsir al-Qur'an*: translated by Mohammad Baqer Mousavi Hamedani, vol. 2, p. 483.

3. Surat Yunus: 99.

4. “He who disbelieveth in God after his belief in Him save he who is compelled while his heart remains steadfast with the faith...” Surat al-Nahl: 106.

humankind. In summoning people to monotheism, the prophets never resorted to the use of force and coercion for such a method is incompatible with the basis of the call to monotheism and is also not acceptable for the faithful and nor basically it is worthwhile. If God would approve such a method then why did He create human beings in such a fashion or why didn't He give the prophets a free rein to make such impositions and the Qur'an ordains that 'there is no compulsion in religion...

In any case, it is clear that there is no compulsion to change to the doctrine under consideration and conviction of minorities and their conversion to Islam. In addition to being free to perform their acts of worship according to the stipulations of religion and practical behavior of the Prophet of Islam (SA) and Imam Ali (AS) and there was no hindrance in this regard, Imam Khomeini and almost all the Shiite theologians in this jurisprudential discussions on this subject have considered the followers of the scriptures to be free to perform their religious duties.

### **Freedom of belief and expression**

Concerning freedom of belief and expression of minorities, too Imam Khomeini while acknowledging freedom for minorities considers them to be entitled to express their opinions and beliefs:

“An Islamic government is a democratic government in the true sense of the term; and there is complete freedom for all religious minorities and any person can demonstrate his faith. Islam has the answer to all beliefs and the Islamic government will answer all logics with logic.”<sup>1</sup>

His presumption from these words is that Islam has the ability to answer to all thoughts and beliefs. For this reason,

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1. *Sahifeh-ye Imam*, vol. 4, pp. 410-11.

demonstration of faith by others is permissible because as the doctrine of the last prophet of God, Islam has the capability to respond to every type of thoughts and beliefs with correct logic. The fact that Islam is able to respond to any thought is itself based on another mental presumption, which is that only Islam possesses legitimacy, and for this reason has the ability to answer to all questions, challenges, needs and wants of humankind. Although he believes in this presumption, which reveals aversion to ideological, religious and sectarian pluralism, but in any case, he believes that other human thoughts have the potential to show, appear and life as well.

In another instance, by sanctioning the legitimate rights of minorities, he opines that:

“Islam has always protected the legitimate rights of religious minorities. They are free in the Islamic Republic and freely engage in their own issues, and like the rest of the individuals they freely demonstrate their beliefs under the protection of the Islamic state.”<sup>1</sup>

However, he reminds that tolerance and indulgence is only in relation to those minorities to whom the attribute of sabotaging does not apply. For this reason “There is no tolerance at all for those who create commotion; those who are saboteurs.”<sup>2</sup>

Although in the previously mentioned quoted words Imam Khomeini emphasizes clearly on freedom of minorities to demonstrate belief, however, in his theological discussions, he does consider some restrictions for them. In stating the conditions of the infidels, whether they belong to the protected ‘Dhimmi’ minorities or not he states:

“Infidels (non-Muslims) whether they belong to the protected ‘Dhimmi’ minorities or non-Dhimmis, have no right to propagate their decadent religions and publish their misleading

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1. Ibid., vol. 5, p. 188.

2. Ibid., p. 261.

books or to convert Muslims and the offspring of Muslims to their wrongful religions. In case they undertake such activities, it is mandatory that they are punished according to Islamic law; and it is incumbent on the administrators of Islamic governments to prevent such a thing by whatever means at their disposal. In addition to these, it is also obligatory for Muslims to avoid reading their books and participating in their gatherings as well as to disallow their children from attending such gatherings. In case Muslims get hold of any of their misleading books and publications, it is obligatory for them to destroy such writings.”<sup>1</sup>

The style of theological discussion of Imam Khomeini as mentioned above differs with what has been orally stated by him.<sup>2</sup> Here he believes that books of the followers of the scriptures have been tampered with and altered, and for this reason they are not worthy of reverence.<sup>3</sup> Of course, his verbal statements can be regarded as an interpretation of Imam Khomeini's jurisprudential writings because as is evident from the text in his jurisprudential texts, he has spoken in the language of religious obligation, prohibition and banning of minorities but in his oral statements, he has undertaken to explain rights of minorities. For this reason, it can be said that his subsequent discussions meaning his verbal statements are an interpretation of all that was mentioned previously.

In order to endorse the previously mentioned claim one can refer to the verses of the Qur'an, which teaches Muslims the method of good discussion and debate with the followers of the scriptures.

“And dispute not with the people of the Book save what is best, except those of them who act unjustly, and say ye (unto the

1. Khomeini, Ruhollah: *Tahrir ul-Wasilah*, vol. 2, pp. 461-62.

2. In case we differentiate and distinguish between demonstration of faith and promotion and propagation, we shall not observe any noticeable contradiction. (publisher)

3. Ibid., vol. 2, p. 462.

people): "Believe we in that which hath been sent down unto us and sent down unto you; and your God and our God is One, and we unto Him do we submit."<sup>1</sup>

Some commentators are of the opinion that by "save what is best" is meant that one should conduct with them in a lenient, tolerant, moderate and kind manner. One must show kindness in relation to anger; tolerance in relation to fury; benevolence in relation to mischief and patience in relation to impatience. From this viewpoint, the objective from the discussion and dialogue is not to show superiority and seek domination; rather, the objective is that the words penetrate deep inside the soul of the other party and he takes a correct stance vis-à-vis Islam. In fact, non-Muslims must know that the spirit of Islam is a consensus-seeking spirit that recommends to Muslims that they should adopt a conciliatory attitude towards them.<sup>2</sup>

In religious writings, freedom of belief and desisting from imposition of a particular belief has of course been recommended repeatedly.<sup>3</sup> However, on the other hand, it has called upon followers of the scriptures to show solidarity with Muslims on mutual subjects such as monotheism.

"Say: O People of the Book, come ye to a Word common between us and you, that we worship none but God and shall not associate anything with Him and some of us take not any others for lords other than God; and if they turn back; then say ye: "Bear ye witness that we are Muslims (those surrendered unto God)."<sup>4</sup>

Invitation to share ideals is the best way for co-existence of the two different religions because usually one cannot ask one group to give up all its beliefs and follow the opinion of others.

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1. Surat al-Ankabut: 46.

2. Makarem Shirazi, Naser: *Tafsir-e Nemouneh*, vol. 10, pp. 391-92.

3. Verse 99 of the Surat Yunus is the proof of this subject.

4. Surat Al-i Imran: 63.



Even if it is logical, it is not practical. Therefore, leaning towards shared ideals of all Divine religions meaning on the principle of monotheism and singularity of God, is a reason for solidarity and coexistence of Divine religions.<sup>1</sup>

### Dealing with minorities in theocracy

According to what has been mentioned in the sayings and words of Imam Khomeini, dealing with minorities and especially followers of the Scriptures in a political system of religion is based on the law, justice and equal opportunity.

In response to a question that was posed to him about the role of religious minorities in Iran's future and in the era of theocracy, he states:

“Religious minorities are free in the future and they shall live in Iran in welfare and comfort; and we shall deal with them with absolute fairness and in conformity with the law. They are our Iranian brothers. They were disgusted of the Shah and his hangers-on as well.”<sup>2</sup>

On the subject of Sunni minorities too, he states that we have brotherly ties with them and declare our bond with them. He reflects on the strategy of cohesion and solidarity between Shiites and Sunnis and opines that: “In Islam, there is no discord between Shiite and Sunni at all; there must not be discord between Shiite and Sunni. You must safeguard unity... this country belongs to all of us... it belongs to the religious minorities, to our orthodox believers; it belongs to our Sunni brothers.”<sup>3</sup>

In any event, one can deduce from Imam Khomeini's words that in the political system of his view, there won't be any

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1. Nasser Makarem Shirazi: *Message of the Qur'an: Tafsir-e Nemouneh*, vol. 10, pp. 394-95.

2. *Sahifeh-ye Imam*, vol. 5, p. 401.

3. *Ibid.*, vol. 6, p. 84.

exploitation of minorities. All are on brotherly terms with one another and enjoy equal rights:

“Kurds and the rest of the ethnic groups who speak different languages are all our brothers and they are with us and we are with them; and all of us belong to a single nation and follow the same religion.”<sup>1</sup>

Sharing a single and cohesive nationality and in some cases, religion and sect is the focal point of Imam Khomeini’s words in binding religious and sectarian minorities with Shiites and binding all three of them (followers of the scriptures, the Sunnis and the Shiites) together. In any case, from Imam Khomeini’s point of view the type of behavior with minorities is humanitarian, just and based on the law - meaning the same behavior that is emphasized by Islam.

In one instance, Imam Khomeini refers to the past record of this issue and the type of behavior of Muslims with minorities in the course of history; and addressing the representatives of the Zoroastrian community, states:

“All minorities must rest assured that Islam has always dealt with minorities in a humanitarian and in a just manner - and all are in wellbeing. They too like the rest of the small minorities belong to our nation; and God willing we all live together in this country; and the wellbeing of all will be attained; and the secret of this victory which is unity of expression, must be preserved.”<sup>2</sup>

In fact, the style that Imam Khomeini emphasizes in dealing with minorities has been clearly reflected in the words and sayings of Imam Ali (AS). In a word of advice addressed to Malek Ashtar Nakhaie, His Holiness (AS) divides human beings in to two main groups; and in each instance he orders

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1. Ibid., p. 462.

2. Ibid., p. 192.

Malek to face up to them with love and friendship:

“Make your heart to become a covering of love and friendship of people and favor to them. You must never be fierce and blood-thirsty in relation to the people so that you consider devouring them to be an opportunity for all people are of two groups; they are either your brothers in religion or they are of your own species in creation. They slip on the path, they suffer from calamities and wittingly or unwittingly do certain things; and you must be so forgiving and lenient in the same way that you want God to be forgiving and lenient with you.”<sup>1</sup>

### Social and political freedoms

In reply to a question in which the national aspect of being Iranian was mentioned as a strong circumstance that had eliminated discriminations among minorities and the manner of this relationship in the state under Islamic consideration has been challenged, Imam Khomeini states:

“It is the Islamic identity more than the Iranian identity that has established strong relations among the individuals of the people of Iran. Not only are the religious minorities free; rather, the Islamic government has a duty to defend their rights. In addition, another point is that every Iranian has the right to possess social rights like all individuals. It makes no difference if he is a Muslims or Christian or Jew or of any other religion.”<sup>2</sup>

As is evident from the question and the answer, Imam Khomeini emphasizes the aspect of faith and grants the main role to religion in bringing about social unity and solidarity perhaps because the majority of the people of Iran are Muslims

1. *Nahj ul-Balaghah*: Sermon 53, translation by Abd ul-Majid Ma'adikhah, *Aftab Dictionary: Comprehensive Dictionary of the Terminologies of Nahjul Balaghah*, vol. 4 pp. 2114-15.

2. *Sahifeh-ye Imam*, vol. 4, p. 508.

and for this reason, have many shared ideological features with one another. The majority of the Islamic theologians emphasize the aspect of religion more than that of nationality and this is yet another instance of that as well. However, it is remarkable that here Imam Khomeini refers to the equality of social rights of Muslims and the rest of the minorities in a theocratic state. What are the things that constitute social rights in his view? Do they include political freedoms as well or not? Political freedom implies the right to vote and to choose and the right to be elected to public office and positions; and in general, it is influencing government by the people. In any case, this subject from the viewpoint of Imam Khomeini needs to be deliberated and reflected upon. Of course, with regard to the articles of the constitution, which refer to and emphasize certain aspects of these subjects, the viewpoint of Imam Khomeini can be assumed more categorically as well.

Similarly, in reply to the question that whether the new government of his viewpoint would be one-hundred percent Islamic in the sense that there would be a role for the Jews, Christians and the rest of the religious minorities or not, Imam Khomeini responds:

“Of course there is a role for the religious minorities in the Islamic state; and even now they have a representative in the Legislative assembly. In the Islamic state too we do consider such a right for them.”<sup>1</sup>

From the above statement, it can be presumed that Imam Khomeini believes that in the Islamic state the minorities possess certain political rights such as having a representative in the Islamic Consultative Assembly. This subject has been mentioned in the Constitution of the Islamic Republic of Iran as well. Article 64 states that:

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1. Ibid., vol. 5, p. 141.

“Zoroastrians and Jews each elect one representative; and Assyrian and Caledonian Christians together elect one representative and the Armenian Christians of the north and south each of them elect a single representative.”

It is possible that presence of these five representatives of religious minorities in the Islamic Consultative Assembly be assumed to be an advantage for them; and it is so indeed because in any case, having this number of representatives in the Islamic Consultative Assembly taking into consideration the extremely low population of non-Muslims<sup>1</sup> in relation to Muslim population of Iran is extremely high. If the minorities were Muslims, then certainly with this population they would not be entitled to more than one representative.

### **‘Dhimmi’ protected non-Muslim people, jurisprudential discussion in general sphere**

In his jurisprudential discussions, Imam Khomeini has summarily touched on the subject of ‘Dhimmi’ protected non-Muslim people. In jurisprudential terminology, ‘Dhimmi’ is a term applied to non-Muslims who live under the protection of Islam and the Islamic state. The main objective of establishing the ‘Dhimmi’ pact is to create a secure environment, mutual understanding in social living and peaceful coexistence between various religious and sectarian minorities in the territory of the Islamic state.<sup>2</sup> in fact, the ‘Dhimmi’ contract is likened to a national pact that binds all strata living in the territory of the theocratic state; and in a way describes the type of relationship between them as well; and it is incumbent on all to interact with

1. According to certain statistics, population of non-Muslims in Iran is estimated at 213,600. See: *Religion, Philosophy and Law*, Mostafa Mohaqeq Damad, p. 545. For information of other topics and statistics in this field, Cf. Eliz Sanasarian: *Religious Minorities in Iran*, Cambridge, Middle East Studies, 2000.

2. See: *Minority Rights*, ‘Amid Zanjani, Abbas ‘Ali, p. 57 onwards.

one another on the basis of this law.

‘Dhimmi’ protected non-Muslim people only include people of the scriptures meaning Jews, Christians and Zoroastrians while the other religions, sects and creeds who are in the ranks of one of the aforesaid three are also considered as followers of the scriptures. However, other doctrines and religions such as infidels deserving to be fought against, polytheists, idolaters and star-worshippers (Sabeans) etc... whether Arabs or non-Arabs, whether attributed to divine prophets of the universal religions or persons who in principle do not belong to one of the three minority religions; and who after the advent of Islam and abrogation of their scriptures do not convert to one of the three aforesaid religions, are not accepted as ‘Dhimmi’. It must be noted that the four Islamic sects - meaning the Sunni followers - are not considered as ‘Dhimmi’ protected non-Muslim people and it is natural that their status be quite different from the rest of the religious minorities. On this subject, Imam Khomeini believes that in the Islamic Republic, Shiites and Sunnis possess the same and equal rights:

“In the Islamic Republic, all Shiite and Sunni brothers are alongside each other and have brotherly ties and are equal in legal terms. Whoever states otherwise is the enemy of Islam and Iran; and our Kurdish brothers must nip such statements in the bud.”<sup>1</sup>

1. *Sahifeh-ye Imam*, vol. 9, p. 313. Statements such as these are of course with regard to interaction and relationship with Sunni followers inside the country. However, in order to preserve solidarity and unity of Muslims, Imam Khomeini has made other recommendations as well such as that during the Hajj pilgrimage Shiites must show consideration towards them. In particular he states that, “It is not permissible to leave the Inviolable Mosque (Masjid al-Haram) or the Madina Mosque when the congregation prayer begins; and it is also obligatory for the Shiites to recite their congregational prayer with the Sunnis. It is forbidden to place the ‘Muhr’ (an object usually made of baked mud on which Shiites place their foreheads at the time of ‘Sijdah’ or prostration) and to perform ‘Sijdah’



Should the followers of the three divine religions become obligated and committed to the 'Dhimmi' stipulations, they are officially recognized and in return for the payment of tax that is levied on them, they shall live in the Islamic state in peace and security if they abide by the 'Dhimmi' conditions. In particular, the 'Dhimmi' conditions stipulate that they should not engage in any task that jeopardizes the security of the Islamic community. Likewise, they must not undertake those things that are disagreeable to Muslims such as partaking alcoholic drinks, committing adultery, eating pork and marrying very close relatives. It is prohibited to establish churches and sound church bells etc... in any case, on committing any one of the above prohibitions and in fact, breaking the covenant, the Islamic ruler can return them to their own country.<sup>1</sup>

For clarification and analyses of the aforesaid matters, it is worth mentioning that with regard to the discussions that have been narrated from the verbal statements of Imam Khomeini, religious minorities or in other words, 'Dhimmi' protected non-Muslim people in the Islamic political system possess rights of citizenship; and taking into consideration the pact that is entered into with them, they establish relations and interact with the state; and it is not correct to transgress their rights. Towards this end, he believes that "should a just government be established in Iran, we shall invite the Jews who have left Iran to return to their home country and motherland; and the Islamic government has a duty to accord them a warm welcome."

In any case, from the previously mentioned headings it becomes clear that in an Islamic political system, religious

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(prostrate) on it in the Inviolable Mosque (Masjed al-Haram) and the Mosque of the Holy Prophet of Allah (SA) and invalidates the prayer." Etc... See: *Novin Dissertation: Political and Legal Topics* (translation of sections of Imam Khomeini's book *Al-Bay and Tahrir ul Wasilah*); Abd ul-Karim Biazar Shirazi (compiled by) vol. 4, fourth edition, p. 203.

1. Khomeini, Ruhollah: *Tahrir ul-Wasilah*, vol. 2, pp. 456-58.

minorities are free to perform their acts of worship. The limitation that Imam Khomeini considers for them in jurisprudential discussions is that they should desist from promoting religion and publishing books in Islamic countries. However, this matter is apparently at odds with another quoted narration from him, which states that the Islamic government is a democratic government in the true sense of the term; and there is total freedom of belief for all minorities and that Islam is in a position to answer them. Although it can be said that Imam Khomeini uttered the latter words years after his jurisprudential discussions, thus it is considered as his previous interpretation and analyses. Therefore, the limitation of the followers of the scriptures to publish books in the Islamic Republic shall continue to exist for them.

Greater emphasis of Imam Khomeini about non-Muslims including the followers of the scriptures and others enjoying rights of citizenship and their lives and properties being respected have been explained quite well in some cases of seeking opinion or 'Fatwa' from him; and they reveal his way of thinking on this subject. In one case where his jurisprudential opinion was sought concerning implementation of commandments of Islam about non-Muslims, he states:

“...they are under the protection of Islam and the decrees of Islam is applicable to them just as it is for other Muslims and they are ‘Mahqoon Ad-Dam’ (shedding their blood must be prevented) and their properties are to be respected.”<sup>1</sup>

### **The constitution and the question of minorities**

With regard to the previously mentioned statements, for further explanation of the subject of democracy of religion and rights of minorities according to the political theory of Imam Khomeini, it is appropriate that the topics of the constitution of

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1. *Sahifeh-ye Imam*, vol. 18, p. 304.



the Islamic Republic of Iran be taken into consideration. This taking note of is significant from certain aspects. On one hand, the constitution has been endorsed by Imam Khomeini and majority of Iranian citizens of whom the vast majority are Muslims, while on the other hand, the constitution is the basis of action, national covenant and charter of social cohesion and solidarity - and all consider themselves to be obligated to act upon it. Furthermore, the rights of minorities is researched deeply because in any case with regard to “the official religion of Iran is Islam and of the Jafari Isna Ashari sect and this principle is permanent and unchangeable” (article 12) but in the constitution certain devices have been considered for other sects and religions that coexist in the Islamic Republic. For example, concerning other sects we read that:

“Other Islamic sects including Hanafi, Shafeie, Hanbali and Zaidi enjoy full respects; and followers of these sects are free to perform their sectarian ceremonies according to their own theology and are officially recognized in the courts of law in imparting religious education and training and personal matters<sup>1</sup> (marriage, divorce, inheritance and will) and claims pertaining to them.” (Article 12)

In addition, in this article it has been envisaged that:

“In any region that followers of these sects are in majority, local regulations within the powers of the councils will be according to that sect with preservation of the rights of the rest of religions.”

This part of article 12 has recognized this right for the religious minorities that where any of them is in majority in their respective region, the local regulations within the powers of the councils will be according to their sects. One can deduce from

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1. By personal matters is meant the affairs that determine the rank and status of a person in the family and the country. See: *Religion, Philosophy and the Law*, Mohaqeq Damad, Mostafa, p. 525.

this article that if in any region of the country the Shiites are not in the majority, they cannot impose local regulations within the powers of the councils on other sects. This article likewise, increases political participation among minorities, which is an essential requisite of democracy. Concerning the followers of the rest of religions living in Iran, it says:

“Zoroastrian, Jewish and Christian Iranians are only recognized as religious minorities who within the limits of the law are free to perform religious ceremonies and to take action in conformity with their respective religions in personal matters and religious education.” (Article 13)

In commenting on the verses of God, Article 14 generally speaking, considers non-Muslims, advises, and recommends humanitarian behavior, peaceful coexistence and proper treatment of non-Muslim minorities. According to the blessed verse: [Presented by: https://jafrilibrary.com/](https://jafrilibrary.com/)

“Forbiddeth not God unto you regarding those who have not made war upon you in the matter of (your) religion, and drove you not out of your homes, that ye show them kindness and be just unto them; verily, God loves the just ones.”<sup>1</sup>

The government of the Islamic Republic of Iran and Muslims has a duty to practice good behavior and Islamic justice and equality with non-Muslims and respect their human rights. This principle is valid concerning those individuals who do not plot and conspire against Islam and the Islamic Republic of Iran.

The major emphasis of the previously mentioned principle is on respecting human rights of minorities by the government of the Islamic Republic of Iran and Muslims. Likewise, these human rights have been blended into this principle with explanation of proper behavior, justice and equity. These emphasis and explanations is because in reality, the gem of

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1. Surat al-Mumtahanah: 8.

religion and piety is justice and spreading of justice and the Divine prophets too have worked hard to establish and realize justice.

“Indeed sent We our apostles with clear proofs, and sent We down with them the Book and the scale that people may establish themselves in Justice...”<sup>1</sup>

It is evident that under the auspices of theocratic state and Islamic thought, one cannot deliver a discriminatory verdict between a Muslim and a non-Muslim. Therefore, actualization of justice must occur for all without discrimination and it is unbecoming of claimants to a religious state to have inequality and injustice among Muslim and non-Muslim citizens. However, conformity to justice and equity concerning all citizens has been accepted by the constitution as well. In fact, the numerous emphasis of the constitution on ‘society of Iran’ and ‘human being’ itself reveals the broad viewpoint of the religion of Islam as well as of the Muslims thinkers on the question of justice and fairness. On this subject, article 20 decrees on the equality of Muslims and non-Muslims in all human, political, economic, social and cultural rights.

“All individuals of the nation including women and men are equal in the eyes of the law; and enjoy all human, political, economic, social and cultural rights.”

Article 19 emphasizes rejection of any form of ethnic and racial bigotry.

“The people of Iran of whatever race and ethnicity enjoy equal rights; and skin color, race, language and the likes of these will not result in superiority.”

Clause 8 of Article 3 lays emphasis on “participation of all people in determination of their political, economic, social and

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1. Surat al-Hadid: 25.

cultural destinies". Thus, minorities as connotation of all people can participate in their self-determination with regard to the above-mentioned dimensions. This participation will become feasible only when the groundwork for their making an impression in the above-mentioned affairs has been prepared. Thus, Article 64 describes this impression in the affair of legislation and states:

"Zoroastrians and Jews each elect a single representative; and Assyrian and Caledonian Christians together elect a single representative; and the Armenian Christians of the South and the North of the country each elect a single representative."

Therefore, the groundwork for making an impression by religious minorities in affairs of legislation has been facilitated while religious minorities can like the Shiites can become candidates to the Islamic Consultative Assembly from any place that they want to seek election and make an impact on the process of legislative affairs.

However, on the other hand, according to Article 84, these representatives are considered responsible in relation to the entire nation.

"Every representative is responsible to the entire nation and has the right to express his opinion in all domestic and foreign matters of the country."

Other instances can also be added to the previously mentioned affairs; but in any case, the general spirit of the constitution in its attitude towards religious and sectarian minorities is based on justice and equality. This justice and equality of course, facilitates the overall participation of minorities at the social level and even stresses and recommends it and considers such participation to be the citizens' right. The above specimen in comparison with Imam Khomeini's thought and democracy of religion offers researchers meaningful results - some of which were referred to in the course of the discussion.